

RETURN to an Order of the Honourable The House of Commons,
dated 23 March 1866 *per*,

COPY "of the REPORT of the Inspectors General of Prisons in *Ireland* to His Excellency the Lord Lieutenant with regard to the ESCAPE of *James Stephens*."

REPORT.

To His Excellency the Lord Lieutenant.

Office of Inspectors-General of Prisons,
Dublin Castle,
7 December 1865.

My Lord,

WE have the honour to submit to your Excellency the following report, with regard to the escape of James Stephens, a prisoner charged with treason-felony, from Richmond Bridewell, on the night of the 23d or the morning of the 24th ultimo.

On the morning of the 24th ultimo, we received an official statement from Mr. Marques, the Governor, that "entrance was effected, from the outside, into the prison during the night, by means of four different keys having been used; two of which, similar to those of the prison, were left in the locks they opened, and could not have been procured without the aid of some officer of the prison. Two of the tables of the lunatics' dining-hall have been found standing against the inside boundary wall, but the prisoner could not have escaped over the two walls without further aid from the outside."

We proceeded immediately to the Bridewell, and made a thorough examination of the building, the yards, the garden belonging to the Governor, and the gardens and premises adjoining the boundary walls. In the course of this examination we were, from time to time, accompanied and assisted by some members of the Board, and also by some of the detective force, as well as officers of the prison.

We were unable to perceive any footmarks on the upper table (one having been placed over the other), although the previous night had been very wet, and the yards were consequently muddy; or on the wall, which divides the insulating area from the Governor's garden; or any marks of a rope, or other means of ascent, on the top of the wall, which is coped with mortar in such a condition as that the least pressure would have disturbed it; and, moreover, upon making a careful search upon the roof of the shed, which shuts on the further side of the wall in the garden in question, and throughout the several premises specified above, we failed to discover the least trace of ladders, or of footsteps, or any evidence of an ascent, or descent, having been made, the ground being so soft that the smallest weight would have caused a deep indentation. We, therefore, came to the conclusion, that the escape had not been effected by means of the tables, or in the direction which they appeared to indicate, and that they had been so placed, in order to divert the authorities from the actual mode in which it had been carried out. We were further convinced, taking into consideration the weight and size of the tables, and the distance (80 yards) from which they had been conveyed from the lunatics' day-room, that two or more persons must have been employed in transporting them.

Again, upon examining the interior of the prison, and ascertaining the

number of locks which had been opened by means of the false keys, which had been found, and by a large latch-lock key, such as that which is placed in the hands of the night watchman on duty, and taking into consideration the very tortuous and intricate route which the prisoner must have followed, if he selected the course which the succession of doors found open would suggest, in order to make his way to the insulating area which surrounds the building, it was impossible for us to arrive at any other conclusion, than that some one thoroughly familiar with every part of the building, and acquainted with the construction of the locks, had aided and abetted in the escape; and that the false keys could only have been obtained through the connivance and treachery of some person engaged in the service of the prison, within or without its walls. Subsequent inquiry having established the facility of access possessed by the officers to the keys in the prison, and the very careless manner in which, without any precaution, the locks and keys, when requiring repair, are carried backwards and forwards by one of the ordinary workmen in the employ of the contractor, it became no longer necessary to continue the search for evidence of the route of egress, as we are satisfied that false keys could have been procured to open the padlocks of the large gates, through which the prison van, carts, &c. pass, or even of the entrance-gate itself.

Suspicion was so strongly directed towards the night watchman, Byrne, who was the only officer in the prison on active duty after the 10 o'clock p.m. patrol on the night of the escape, that he was arrested by the detective police; and, a copy of the Fenian oath (which is copied in the Appendix in *fac-simile*—see page 25) having been found in his room, informations were sworn against him in reference to these charges. Subsequently, a padlock, similar to the padlocks on No. 6 range, which correspond with the locks on the cells of No. 9, where Stephens was confined, was found in Night-watchman Byrne's room; and it will be seen, on reference to Mr. Marques's evidence, that "the keys of No. 6 padlocks will open the padlocks on No. 9."

The Fenian prisoners on the night of the escape were thus placed:—

IN NO. 4 CLASS.

John O'Leary.
Thomas C. Luby.

Jeremiah O'Donovan (Boss).
John O'Donovan.

IN NO. 8 CLASS.

James O'Connor.
George Archdeacon.
Michael O'Boyle.
Wm. P. Reaniree.
Francis F. Cleary.
Charles Underwood O'Connell.

Denis D. Malcahy.
George Hopper.
Jas. J. O'C. O'Callaghan.
Martin A. O'Brennan.
Hugh F. Brophy.
Christopher M. O'Keefe.

IN NO. 9 CLASS.

Cornelius D. Keane.
Martin H. Carey.
John Fottrell.
John O'Clohissy.
Cornelius O'Mahony.
John Haltigan.
Michael O'N. Fogarty.
William Kenny.
Edward Duffy.

Charles J. Kickham.
James Stephens.
Patrick Sully.
James Quigley.
Michael Moore.
Patrick Heyburne.
Geo. A. F. Gilles.
Owen Sweeney.

This latter "class" embraces three corridors, one termed the long range, with two shorter branches at each end, and at right angles to it. There are metal doors placed at the extremities of these branches.

In the last cell of one of the latter, which contains four cells, was placed Stephens; the adjoining cell being tenanted by a prisoner, named M'Leod; and that next to it by Kickham, who is quite deaf; the fourth cell being unoccupied.

The cell door is of metal, fastened by an iron swing-bar and a padlock, and on the morning of the escape it was found open, the padlock lying on the ground, with a false key in it. Close to the cell, at the end of the short corridor, is a metal door, fastened with a strong stock-lock, which was always locked

at night, but was found to have been opened, it is presumed, by means of the false pass-key, which was found below in the capstan-mill store. A second door (of wood), which stands at the head of the stairs, at a short distance from the first (the intervening space being occupied by water closets), is left open at night, and was found so in the morning. A third (of wood), at the foot of the staircase, was similarly circumstanced.

A fourth door (also of wood), leading from the kitchen to the yard, containing the solitary cells, is latch-locked at night with a small latch-key (being the ordinary latch-key of the prison); but this door was found open.

A fifth and sixth door, leading from the solitaires' yard to the treadmill, are left open at night, and were found so.

A seventh door (of metal), leading from the treadmill yard into the capstan-mill store, which is locked at night with a strong stock-lock, was found open; and an eighth (of wood), leading into the passage adjoining the lunatics' dining hall, which is also similarly locked, was found open, with a false pass-key on the outside. A ninth door (of iron), leading into the insulating area where the two tables were found, which is locked at night with the large latch-lock key, was also found open. This door leads into the insulating area, on the east and west ranges, which are divided on each side by large wooden gates, with a wicket locked by the large latch-lock; and when these gates are passed, the large flank gates in the front of the prison, leading into the road, are reached, these gates being fastened by padlocks, only capable of being opened on the inside.

The several localities through which Stephens is assumed to have passed, are detailed in the evidence of Chief Warder Philpotts (the second officer in rank), and also of the other witnesses examined by us.

The annexed plan will explain the above details.

See page 26.

As regards the course pursued by Stephens, until he reached the insulating area, it is evident, upon examining the design of the building, that any one provided with the false keys found, and by the aid of the two latch-keys already mentioned, or even by the large latch-key, could have made his way to the front or rear of the prison from the cell in No. 9, which Stephens occupied, by a variety of routes. It appears that a short mode of attaining his object was within his power, if he availed himself of the facilities presented in the following memorandum by Mr. Lentaigue :

" On Friday night, 30th November, after making my rounds at Richmond Bridewell with the prison authorities and the officers on guard, it being a bright night, I made a second examination of the premises, more particularly of the lower prison garden, accompanied only by Inspector Armstrong, the police-officer on duty. On examining the doors leading from the lower prison garden into the insulating area round the upper building, in which the Fenian prisoners were confined, we found that the large iron bolt on the outside of the wooden door, marked R on the plan, and which opens from the insulating area into the lower prison garden, had been drawn back, so that any person in the insulating area could, if provided with the key, open the door and pass into the garden.

" Having procured the key of this door, I found that the lock was an ordinary stock-lock of an inferior description, and which could be opened without the slightest difficulty. This key remains all day in the hands of the hospital warder.

" I also remarked that this door is close to the door opposite the lower prison, marked X, opening into the insulating area from No. 7 corridor under No. 9 range, from which Stephens escaped. I ascertained that, in two minutes and a half, if the door secured by the large latch-key (marked I on the plan annexed), was open, and by the aid of the false pass-key, I could pass from Stephens's cell into the lower prison garden, which affords great facilities for escape, and through which passed the only two prisoners who have escaped for many years from this goal."

It now becomes our duty to comment upon the evidence of the prison officers, beginning from the time when Stephens was last ascertained to have been locked in his cell, up to the discovery of his escape.

This evidence resolves itself into two parts: the first, having regard to Stephens's escape; the second, affecting the general discipline of the prison and the conduct of its officers.

Warder Coleman had charge of Stephens. This officer has been staff-sergeant in the East India Company's service, and wears a medal for good conduct; and Mr. Marques, and Mr. Gavin, the Local Inspector, as will be seen subsequently, placed the greatest confidence in him. His evidence as to having, after lock-up, given a letter to Stephens, and having spoken to him for a very short time,

Warder Coleman; see page 11.

is important. This letter had been already inspected, and permitted to pass in by Mr. Marques, and had reference merely to the sale of effects at the house tenanted by Stephens at Sandymount.

With regard to the access of Mr. Lawless (the attorney) to the three prisoners, Kickham, Duffy, and Brophy, when engaged at exercise under the supervision of Coleman, the latter appears to have thought that he could not exclude their legal adviser from conferring with them collectively. The annexed copy of a letter from Mr. Stronge, the committing magistrate, seems to support this view; and as Stephens was exercised together with the other three prisoners, he was thus enabled to communicate with Mr. Lawless.

" Sir,

" In reference to your letter of the 2d October, with copy of letter from some of the prisoners now in prison, I have to state that it is not desired that the prisoners should be allowed to confer together in the absence of their legal adviser, but that they may be allowed to confer together or separately, as they may desire, with their legal adviser.

" D. Marques, Esq."

" Yours, &c.
(Signed) " J. C. Stronge."

The proper course would have been, either to have postponed the visit of Mr. Lawless to his clients, or to have withdrawn Stephens.

It is also to be noticed that, when pressed by a further question, Coleman stated that, while he was eating his meals at the desk, it was possible for any officer of the prison to pass through the corridor in which Stephens was confined, and hold communication with him.

There is nothing in the evidence of Warder Casey, the next witness, except perhaps his very recent appointment, which requires notice. He confirms Warder Coleman as to the opportunities of communication with Stephens.

We next take John McCleod, a sickly prisoner (this range being in connexion with the hospital), who occupied a cell between Kickham and Stephens, the fourth cell in the range being untenanted. His evidence would appear to show that there was some intention to attempt the release of others of the Fenian prisoners, who were placed in the long corridor of No. 9, adjoining that in which Stephens was confined, and divided from it by an iron door, which, unfortunately, was kept locked at night, as two persons were heard to approach this door, and to return immediately, having possibly heard the footstep of the police constable, who was on duty in the long range.

The evidence of this witness is also corroborative of the statement of Warder Coleman, that he spoke to Stephens through the trap of his cell door shortly after lock-up.

Warder Conway, whom, he says, he saw speaking to Stephens, was the officer whose duty it was to escort the latter to the chapel.

There are some points in the evidence of the fourth witness, Chief Warder Philpotts, affecting the regularity of the discipline of the prison, which we reserve for our observations upon that subject; but we would here call attention to that portion of it which contains the statement that Night-watchman Byrne alleged that he had last passed *through* the door dividing the west from the east side of the prison, which should have been left open, and was found locked, probably by means of the false pass-key; for Byrne, when employed on the night-watch, was not furnished with a pass-key; and this admission, coupled with the further statement, that Byrne had omitted to peg the tell-tale clock in No. 8, at three o'clock, establishes a grave case of suspicion against that officer.

We would further remark that a false key was found in the *outside* of the lock of the wooden door, leading to the fibre-store of the capstan mill, and also in the direction of the insulating area, in which the tables were discovered; this having been probably done in order to suggest the supposition that those who aided the escape had come from the outside of the prison.

We next take the three policemen who were on duty in the three classes, No. 9, No. 8, and No. 4, occupied by the Fenian prisoners.

It is to be observed, in the evidence of James Kennedy, who was in charge of No. 9 class, that he stood generally at the head of the staircase, which (being at the angle between two of the corridors, which are at right angles to each other) commanded a view of both simultaneously; but, that from the noise of the clapping of windows in a wild hoisterous night, from the distance, and from

Warder Casey;
see page 11.

John McCleod;
see page 12.

Chief Warder
Philpotts; see
page 12.

Policeman James
Kennedy; see
page 14.

from the fact of the door leading to the corridor in which Stephens's cell was placed, being locked, it was impossible for him to hear any sound coming from that quarter.

The evidence of John Connell, who was in charge of No. 8 class, which occupies the story under No. 9, and is precisely similar in plan, and who was posted in the same relative position as Kennedy, requires no comment.

The evidence of Mathew Fox, who was in charge of No. 4 class, which is much smaller, and therefore more under the eye than either No. 8 or No. 9, is also unimportant. While he was giving evidence, Warder Dowling, to whom he was believed to refer as having been seen by him going out of one of the warder's rooms, was brought in to be identified, and gave a perfectly satisfactory explanation in the presence of the superior officers, namely, that he had been ordered to move from a room in No. 6 class to a room in No. 4, which had just been vacated by Warder Duffy, on his promotion to Grangegorman Penitentiary, and into which he had gone to procure a candle, but in which he did not sleep till the following night.

We have next to approach the whole case of Mr. Marques, the Governor, and proceed to consider his evidence; first, as it affects the general discipline of the prison, and secondly, as it discloses his own special action, from the commitment of the Fenian prisoners, down to the period of the escape.

Mr. Marques has always borne an unimpeached character for integrity, and has on several occasions displayed considerable zeal and energy, and to his custody many of the most important State prisoners in the year 1848 were confided. We are, however, compelled by a painful sense of duty to state, that he has proved his entire incompetency to meet the present emergency, and has exhibited a want of judgment, and even of common sense, which, regard being had to his antecedents, appears almost unaccountable, and to be explained solely by the presumption that his intellect has broken down under the difficulties of his position.

We proceed, therefore, to an enumeration of the remarkable proofs of the lax and uncertain discipline of this prison.

It appears that none of the superior officers ever attend and witness the actual locking of prisoners into their cells, but that this duty is left to each warder alone in his class. Mr. Marques has invariably stated to the Inspectors-General that he, or the officer next in command, attended the *lockings*, which they conceived to mean the *lock-up* as understood in all well-regulated prisons; but by which he wished to convey, that he only received the records of the number of prisoners locked up, as furnished by the several subordinates, upon their bringing in their keys to be placed in his hands. Thus, the most important trust belonging to prison discipline, has been hitherto allowed to remain in the hands of mere subordinates.

In every prison where proper discipline prevails, one of the superior officers is present at the locking in of every prisoner; but here no exception was made, even in the case of the Fenian prisoners. The extent and the form of the buildings would render it very difficult for one superior officer to attend every cell throughout the ranges; but it is indispensable that this duty should be divided among the three holding this rank; and they should vary their respective beats nightly. Secondly, where the chief or assistant warder, after lock-up, go round the prison on patrol, they never look into the cells or challenge the inmates, nor even test the padlocks by jerking them. We proved the danger of this culpable omission by placing a small piece of paper in the padlock of Stephens's cell, and having thus closed the fall, it presented the appearance of being tightly locked. Thirdly, none of the three go round the building at unexpected hours in the night, in order to ascertain the vigilance and regularity of the single watchman, who thus is the only officer on active duty in the prison, from the close of the patrol at 10 o'clock, until unlock in the morning, and who is checked solely by the tell-tale clocks, which, as they stand in an open passage, and are furnished with small and weak locks, could be easily tampered with. That, therefore, the exclusive charge of the whole prison should have been entrusted to a single officer of the lowest rank and of such antecedents as Byrne, who (although latterly, and during the tenure of the existing Board, his offences have been of a trivial character) had been found guilty of the very grave derelictions of duty, which appear in the extract from the defaulter's book printed in the Appendix, is inexplicable. To him, also, and to the other

Policeman John Connell; see page 14.

Policeman Mathew Fox, see page 14.

Mr. Marques; see page 10.

See page 21.

night watchman, Murphy, who had been recently transferred from the female prison at Grangegorman, vice Night-watchman M'Cartby, are confided the keys of the gates for two hours daily, while the gate porter is absent at his meals.

Another instance of the confusion of mind into which Mr. Marques, under the overwhelming pressure to which he was subjected, seems to have fallen, is his indistinct recollection as to the issuing of orders; Chief Warder Philipotts and Warder Coleman, both stating that no definite instructions had been given as to the prohibition of visitors to prisoners; and neither of these officers, nor assistant Chief Warder Mengher, seem to have known of Mr. Marques's intention to have kept both doors of the corridor, in which Stephens was confined, locked by day and night.

Disobedience, however, to these orders by day, allowed the power of communication on the part of Byrne and Kelly, with Stephens, in the manner suggested in the evidence, during the time at which Warder Coleman was at meals; for their rooms being situate in No. 8, their direct route thence to the unmarried officers mess-room lay through the corridor where Stephens was confined; while, on the other hand, the rigid observance of this disastrous and inscrutable order at night, cut off the protection, which the presence of a policeman would inevitably have offered had the cross door leading into the long range been left open.

Nothing presents, perhaps, a stronger indication of the excited condition of mind into which Mr. Marques worked himself than his conduct to his superior officers. He ignored Mr. Gavin, the Local Inspector, who appears to have abdicated his functions, and to have remained inactive, although he admits that one of the Inspectors-General, in 1859, rebuked Mr. Marques for an unwarrantable assumption of tone and station towards his superior officer. He led the Board of Superintendence, by an unfortunately worded letter, into the misconception that they were superseded by the Executive. He took upon himself to inform the Town Major that he declined the services of the sentries, whom he had so earnestly demanded, and to write directly to the Commissioners of Police, that he should no longer require more than three constables, entirely superseding the arrangement which Mr. Lentsigne, assisted by Chief Superintendent Campbell of the Metropolitan Police, had made a short time previously, under the special instructions of the Government; and allowing the Executive and the Inspectors-General to remain from that time up to the period of the escape, in entire ignorance of the countermand of the sentries and the reduction of the police, although once or twice in every week he transacted business at the Prisons Office, and was in communication with the Inspectors-General; thus displaying an amount of infatuation which renders all comment superfluous.

With these observations, we bring that part of our inquiry, which embraces the circumstance of the escape, the discipline of the institution, and the conduct of the officers, to a close, but not, we lament to state, to a conclusion, for we have been unable as yet to procure evidence which would fix direct complicity on any individual or individuals, although we are convinced, upon reviewing the whole case, that no inconsiderable number of confederates were engaged; a conviction which generates a deep sense of suspicion, distrust, and insecurity.

We have now to deal with the prison itself, and with the body which is responsible for its management.

The prisons of the county of the city of Dublin are two in number, viz., Richmond Bridewell, exclusively allocated to males, and Grangegorman Penitentiary, to females. The former, to the discipline of which this inquiry is directed, occupies a healthy site in the suburbs, and is abundantly supplied with water, and generally with effective sewerage. The building is clean, and in sound repair, well ventilated, and furnished with an adequate stock of bedding and clothing.

The evidence of Mr. Barnwell, the eminent locksmith, who had been during a long series of years contractor for Richmond Bridewell, as well as for many of the principal institutions of the city, informs us that some years ago, the local authorities incurred a large outlay in providing the prison with locks of considerable value.

Mr. Barnwell, having ceased to be contractor, had not an opportunity of examining the locks since the determination of his connection, and the appoint-

See page 20.

Mr. Barnwell;
see page 29.

ment of Mr. Hayden, who was declared his successor; but since the escape of Stephens, having been called in on two occasions to give his opinion of their trustworthiness, he represents them to be in such a condition as to excite surprise that escapes are not of frequent occurrence.

We cannot too strongly condemn the gross neglect of the prison officials, and of all those who have charge of this department, in not having reported the above to the proper authorities; for we learn from the evidence of Mr. Gavin, the Local Inspector, that he considers it to be the duty of Mr. Marques, the Governor, to report to the Board, or to himself (Mr. Gavin), but that Mr. Marques had never done so to his knowledge, and that no such report appears in the report book, and that he never knew, during the fourteen years that he has been in office, the Board to require any report upon the state of the locks. The warders never report to him on the state of the locks on the cells or doors under their charge, but it is their duty to do so to the governor. It is to be regretted that so vital an element of prison discipline and security as the providing of locks should not have been fixed by selection, instead of by contract, and also that successive Boards should have omitted to obtain, from time to time, a report by a competent examiner upon their condition. At the same time, we are bound to acquit the existing Board of any unwillingness to meet the large expenditure which this emergency has necessitated, for we find that they have ordered Mr. Barnwell, whose charges are high, in consequence of the excellence of his work, to make a complete revision, alteration, and renewal of all the locks of their prison.

Mr. Gavin: see page 15.

The structure of Richmond Bridewell not being on a synoptical plan, it is, as has been frequently dwelt upon in former reports, very ill adapted to the objects of concentrated supervision, of rapid communication from part to part, and of carrying out stringently the system of individual cellular separation, for which it has within a few years been adapted. The length of the boundary wall, the circumstances of the surrounding localities, the number of gates and doors in the insulating area, four of which lead to the ramparts; the obstruction of one range of the insulating area by the very injudicious intrusion of the lunatic ward (which destroys freedom of communication and unbroken supervision), render certain points very weak, and this weakness, coupled with the state of the locks, again gives rise to wonder at the rarity of escapes; only three having taken place during the last 15 years, the particulars of which are subjoined.

"On the 25th of April 1853, Patrick Ryan, a prisoner, committed for two months, made his escape by getting over the wall of the governor's garden, whilst in the charge of a warder named T. Kearns. The governor was then permitted to employ misdemeanor prisoners in the garden, as he supplied vegetables for the dietary of the prison without any charge, a practice continued to this day, with the assistance of the labour of lunatics, under the charge of a gardener, paid for by the governor. The above-named prisoner was retaken, and Warder Kearns was dismissed.

"On 31st December 1861, James Dwyer escaped at night through the window of the solitary cell in which he was confined for punishment; the bar of the window having been left insecure by the contractor who built the cells. He got on the roof of a shed, and over the two boundary walls in the lower garden. He was retaken.

"On the 25th October 1862, Joseph Fallon escaped over the garden wall whilst in the charge of Watchman Daniel Byrne, when acting as warder. The prisoner being a carpenter, was at the time working in the building called the capstan mill. He was never retaken."

These weak points might be materially strengthened without difficulty, so as to abate the facilities of escape from the interior, and of attack from the outside; but we fear that the structural defects are irremediable. Of little avail, however, are the advantages of compactness within, and of strength without, if dangerous laxity of discipline prevails, and if the only reliable securities of vigilance and loyalty are wanting in those to whom the charge has been intrusted, but by whom it has been betrayed.

The administration of these two prisons is vested in one Board, which exercises a common jurisdiction over both.

The Prisons Act, 7 Geo. 4, c. 74, empowers and requires "The Grand Jury of any county, county of a city, or county of a town in Ireland (save and except the Grand Jury of the city of Dublin) at any assizes or presenting term, with the consent and approbation of the Court or Judge, to appoint not less than eight nor more than twelve persons, one-half of whom shall be Justices of the

the Peace for the county, county of a city, or county of a town wherein such appointment shall take place, to be a Board of Superintendence of every gaol, &c., within such county, &c."; and in such Boards large powers, including that of examination on oath, are vested.

The 6 & 7 Will. 4, c. 51, an Act "for converting the Richmond General Penitentiary into one of the prisons for the county of the city of Dublin, and to amend the law relating to prisons in Ireland," however, removed this exception, and by the 6th section the Grand Jury of the city of Dublin was empowered to appoint a Board of Superintendence "as in other counties," under the 7 Geo. 4, c. 74. Subsequently, the Act for the improvement of the city of Dublin, the 12 & 13 Vict., c. 97, was passed, the 51st section of which is as follows:

"Whereas it is expedient that the Council of the city of Dublin should appoint the said Board of Superintendence instead of the said Grand Jury: Be it therefore enacted, that from and after the tenth day of January next, after the commencement of this Act, all the powers of the said Grand Jury, in respect to the appointment of the said Board of Superintendence, shall cease and determine; and thereupon, and on the tenth day of January in each succeeding year, the said Council are hereby authorized and required to appoint twelve persons, being burgesses of the city of Dublin, one-half of whom at least shall be justices of the peace for the county of the said city, to be a Board of Superintendence of every gaol, bridewell, house of correction, or other prisons within the county of the said city, supported in part or in the whole by grand jury presentment, and not being a portion of a different county; and the said Council shall, and they are hereby required, to lay a copy of their half-yearly reports before the Judges of the Court of Queen's Bench at the Trinity and Hilary Terms in every year; and all the powers, duties, regulations, authorities, clauses, and provisions in the said recited Acts or any other Act contained with respect to such Board of Superintendence, save as to such of the provisions thereof as are or may be inconsistent with the provisions of this Act, shall be incorporated with and form part of this Act, and shall be applicable to the Board of Superintendence to be appointed under the provisions of this Act."

By the 2d section of the above-recited Act (the 6 & 7 Will. 4, c. 51) the Grand Jury is bound to provide by presentment for all the expenses of maintaining buildings, of the salaries of all officers, and of all necessities for the support of prisoners; and by the 40th and 41st sections of the Dublin Improvement Act, the exercise of all fiscal powers is transferred from the Grand Jury to the Town Council.

Such being the constitution and powers of the Board, we now proceed to detail the special limitations which exist with regard to the appointments.

The 3d section of the 6 & 7 Will. 4, c. 51, enacted—

"That the local inspector, chaplain, surgeon, physician, and apothecary of the said prison shall be appointed, from time to time, by the Grand Jury of the county of the city of Dublin, as provided by the said recited Act of the seventh year of the reign of King George the Fourth for the prisons now established in the said county of the city of Dublin, and that the keepers, matrons, and other attendants, servants, and turnkeys, and their assistants, of and for the said prisons, shall be appointed by the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being, according to such establishment, and with such salaries and allowances as shall be certified, from time to time, by the Inspectors-General of Prisons, under their hands, to the said Lord Lieutenant or other Chief Governor or Governors, and approved of by him or them, as being sufficient and necessary for the care and management of the said prison and the prisoners therein."

It is not necessary to discuss the question of external appointments, and the transfer of the power of making them from the Grand Jury to the Town Council, for we have to deal with the internal alone.

From the passing of the above Act down to February 1851, the Lord Lieutenant absolutely exercised this power on their own responsibility, the Boards communicating to the Under-Secretary each vacancy as it arose, and the latter notifying in turn the name of the individual appointed.

In that month, however, a deputation of the Board having waited on the then Viceroy, the Earl of Clarendon, obtained from him the concession that the Board should be empowered to nominate and recommend for appointment, subject to a probation of three months, such persons as they should select to fill the internal offices of both prisons, except those of the Governors, and of the head matron of Grangegorman Penitentiary.

The power of final dismissal was retained by the Lord Lieutenant, and these limitations and conditions are recognised and recorded in the bye-laws, under the head of the powers and duties of the Board, the 5th and 8th rules being as follows:

"Rule 5.—

"Rule 5.—The Board of Superintendence, with the permission of the Lord Lieutenant, may appoint all the subordinate officers on the staff of each prison.

"Rule 8.—The Board of Superintendence shall have the power of suspending any officer for misconduct, and of dismissing such officer, *subject to the approval of the Lord Lieutenant.*"

This arrangement was continued by successive Lords Lieutenant, each for his own tenure of office, until after the passing of the 19 and 20 Vict., c. 68. The 18th section of that Act transferred from the high sheriffs and grand juries to the Boards of Superintendence of all the county and borough gaols of Ireland (save of the city of Dublin prisons, which are excepted), the appointment of all officers, subject to the approval of the Lord Lieutenant, the chaplains and medical officers alone being exempted from this latter condition.

The following section, the 19th, enacts that—

"The appointment by any Board of Superintendence under the provisions of this Act of any officer of any such prison, other than the chaplains or medical officer shall be probationary only, and shall not be or become absolute until the same shall be confirmed at a meeting of the Board of Superintendence duly summoned and held for that purpose not sooner than three months after the meeting at which such probationary appointment shall have been made: provided always that no such confirmation of the appointment of any officer shall be made at such last-mentioned meeting, unless two-thirds of the members of such Board shall be present, and the majority of the members shall concur in such ratification or confirmation, nor unless the local inspector and the governor of the prison to which such officer shall have been appointed, shall have certified under their hands, or in the case of the governor, unless the local inspector, or in the case of the local inspector, unless the governor shall have certified under his hand to the said Board of Superintendence that the conduct of such officer since his or her probationary appointment to the said gaol has been in all respects correct and proper, and that such officer is in the opinion of the said governor and local inspector, or of the said governor or local inspector alone, as the case may be, a fit, proper, and efficient person to be appointed to the office, the duties of which he shall have been discharging in pursuance of his probationary appointment; and the said Board of Superintendence shall enter such certificate upon their minutes, and shall forthwith transmit a copy of such certificate to the Inspectors-general of Prisons."

When, therefore, the county and borough gaols were placed on the above footing with regard to appointments, it was considered expedient that the principles of the 19th section should be extended to the City of Dublin prisons; and, accordingly, a letter was addressed by the Under-Secretary to the Board, requiring that the same conditions should be observed; consequently, all correspondence relative to appointments in the city prisons, as well as in all the county and borough gaols, was directed to pass through the hands of the Inspectors-general, without any control on their part over such appointments, or cognizance of the persons appointed; their duty being purely ministerial, and their office being merely the channel of communication between the Boards and the Executive, and the depository of the documents required for fulfilling the prescriptions of the sections recited.

Since the above-mentioned arrangement was concluded, these conditions have been strictly observed, none of the officers nominated by the several Boards having been appointed by the Lord Lieutenant, without having passed through the prescribed probation, and having produced certificates of fitness, and records of due confirmation.

These requirements appeared to furnish an adequate guarantee for obtaining an efficient and trustworthy body of officers; but, unhappily, the escape of Stephens has revealed how little reliable are such formal securities.

Pending the investigation, the Board, at our instance, suspended Mr. Marques, the governor, and Mr. Meagher, the assistant chief warden,* and confirmed the suspension of Warders Connolly and Kelly, by the governor.

Having thus examined the subject, as fully as the short interval of time and the multiplicity of matter, with which we have had to deal, have permitted, we feel bound to submit the following alterations, which we deem to be indispensable

* Assistant Chief Warden Meagher was subsequently reinstated in his duties.

sable to the good government of so important an institution as the Metropolitan Gaol, in which state prisoners are ordinarily confined :—

Firstly.—The removal of Mr. Marques from the discharge of duties, to which his present condition of mind has manifestly rendered him incompetent.

Secondly.—The resumption of the power of nomination to the intern appointments, which has of late years been delegated by successive Viceroys to the Board of Superintendence.

Thirdly.—The selection of an officer, to replace the Governor, of great experience, sound judgment, and inflexible determination, who should be capable of instituting.

Fourthly.—A searching scrutiny into the character and fitness of the existing staff of all ranks, with the view of a thorough reformation.

Fifthly.—The revision of the bye-laws in reference to the enforcement of a more stringent system of discipline, and the more distinct definition of the duties and qualifications of the officers.

Sixthly.—A complete examination by competent persons of the state of the walls, gates, doors, locks, bolts, bars, and other means of defence and security.

Seventhly.—The construction of a certain number of cells to be provided with the best appliances of strength, for the reception of inmates whose safe detention is of paramount importance to the public welfare, so as to prevent the recurrence of prison breach.

Eighthly.—The establishment of an efficient night watch for the supervision and protection of the prison.

We beg to submit the foregoing as our report, and awaiting your further instructions.

We have &c.,

J. Corry Connellan, }
John Lentaigne. } Inspectors-General of Prisons.

See page 25.

We beg to append a statement made by each of the Inspectors General in reference to their proceedings after the arrest and committal of the first batch of Fenian prisoners, together with the detail of their duties.

APPENDIX No. 1.

LIST OF WITNESSES.

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1. Warder Peter Coleman -	- 11	7. Policeman Matthew Fox -	- 14
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3. Prisoner John McLeod -	- 12	9. The Local Inspector, Mr. Gavin -	- 15
4. Chief Warder Philpotts -	- 12	10. The Governor, Mr. Marques -	- 16
5. Policeman James Kennedy -	- 14	11. The Master of Works, Mr. Hogan -	- 17
6. Policeman John Connell -	- 14	12. Mr. Bainwell -	- 23

Warder PETER COLEMAN,* SWORN:—

I AM in charge of No. 9 class. At the hour of lockings, 5.15 p.m., I lock d up Stephens; I tried the lock; I saw him about two minutes after; a warder brought up a letter, and I gave it to Stephens; I opened the trap; I spoke to him. Stephens, during the day, had asked me if a letter he had written had been despatched; I said I did not know, that I had given it to Mr. Philpotts. When I gave Stephens the letter, I said, probably this is an answer to the letter you spoke of; he said, yes, it is from my wife. Mr. Lawless, solicitor for all the leading Fenians, except Stephens, was the only visitor who saw Stephens; Mr. Lawless came into the exercising-yard in the ordinary way. The four prisoners, Stephens, Kickham, Duffy, and Brophy, were at exercise in the yard. Lawless only saw Stephens in the yard; he had no access to him in the cell. The prisoners at exercise were under my charge. It was not my habit to allow the prisoners to communicate, but Lawless told me his business with Stephens was not about his defence, but with regard to his private affairs, something about the sale of his property. On two occasions Lawless saw Stephens; the last occasion was shortly before the escape, not more than two or three days; I do not think he spoke to Stephens singly; three of them were together; Kickham being deaf used to walk away. I was not within hearing of them. I am sure Lawless never conversed with Stephens alone. I received no directions from the Governor to prevent visitors seeing Stephens without an order; I did not receive such orders from any other person either; I understood that no prisoners in the class were to be permitted to see visitors except their law agents; when Lawless was admitted from the first, I concluded he had permission to see the prisoners in the class; he came down on one occasion to the exercising-yard, and said he wanted to see Kickham, and on the other to see Stephens in reference to his private affairs; I could not tell when he, Lawless, was acting professionally for, but I had heard that he was employed for every Fenian prisoner except Stephens. Lawless having been admitted into the exercising-yard, I could not prevent him seeing Stephens. Mr. Philpotts asked me why I had permitted Lawless to see Stephens, and Mr. Marques, a day or two after, found fault with me for having done so. I was Staff Sergeant in the East India Company's service. I went straight home after my duty at ten o'clock each night. There is not the slightest doubt that I locked the padlock of Stephens's cell on the night of his escape; I accompanied Mr. Philpotts after gas patrol; Mr. Philpotts did not challenge the prisoners. Warder Kelly passed almost every day by Stephens's cell; he could not have spoken to him without my knowledge. Warder Casey and I did not breakfast together; Kelly could not, because since the committal of Stephens, I have eaten my meals standing at the desk in the long corridor. It was possible that a person, after passing down the short range, might open the door leading to the staircase, and having laid it to, without locking it, might hold a conversation with Stephens, and afterwards close the door so softly as not to be heard by me, if at breakfast. Kelly has passed while I was at my meals frequently. It would be possible for any person, having a pass-key, to come up, open the door, and converse with Stephens, without being heard by me, while I was at my meals. Casey generally took his meals in Kelly's rooms. If I was called to the front for a few minutes, I would leave Casey in charge. I always have my keys about my person till I give them-up.

Warder JOSEPH CASEY,* SWORN:—

I AM exactly one month appointed. I am now on probation. On the Monday following my appointment, I was placed to assist Warder Coleman in No. 9 class. I assisted in unlocking the cells, and in taking the prisoners down to exercise. I was also in charge of the hospital. Properly speaking, the cells where Stephens was confined, belonged to the hospital. After some time I ceased to bring down the prisoners to exercise with Coleman. I had to attend to the prisoners when washing. They washed themselves outside their cells. While Warder Coleman was exercising the prisoners, I was often in sole charge of the range. Warder Coleman was employed for four hours in the day exercising prisoners, viz, from 7 till 8 o'clock, a.m., exercising the larger portion of the Fenian prisoners, and from

* These witnesses were subsequently re-examined.—See page 22.

Warder Casey.

from 10.30 till 12.30, i.e., two hours consecutively, exercising the four prisoners, Stephens, Kickham, Brophy, and Duffy; and again in the afternoon, from 1 o'clock to 2 o'clock p.m., the same prisoners who had received the hour's exercise in the morning; during four hours I had the sole charge of the range. Whilst I was on duty, the door at the head of the long corridor was kept open, the door at the other end was kept locked. Kelly was the only officer, I can say, who used to pass through the short corridor. It would have been perfectly possible for Kelly to have spoken to Stephens, whilst passing through the short corridor. He could have opened the door at the end of the corridor, and not locked it after him, and stood at the door of Stephens's cell, and conversed with Stephens through the trap, and then gently close the door. Kelly passed sometimes twice a day. Sometimes only once. I do not think he ever passed more than twice. I was on duty on the night of the escape. I did not accompany Warder Coleman down the short corridor at lock-up. I last saw Stephens shortly before lock-up on the night of the escape. I went to his cell to leave him water, I think. We always leave the prisoners water for the night. Before I was appointed to the prison, I generally acted as clerk to my father, who is in the wool trade. I was recommended by Dr. Ryan, a member of the Board of Superintendence. I passed watchman Byrne through the short corridor on two occasions, on his way to the front, as he had no key.

JOHN McLEOD, sworn:—

John McLeod.

I AM two years a prisoner, within 14 days of discharge; I was in Stephens's cell before he came; when Stephens came I was moved into the next cell in the same range; I was awake at one o'clock on the night of the escape; I heard the hour strike; I was awake about ten minutes before the clock struck; I was quite awake; about a quarter after one, I heard the next cell door open; I heard no footsteps before that; the first noise I heard was the door opening, and then I heard two persons going up to the metal door opening on the long range; they then came back again; a little after I saw the reflection of a lantern on the wall; it was after the man left the cell I saw the light; it was about ten minutes after they left the cell I saw the light; I thought it was an officer coming to the cell at first; one walked heavier than the other; no one told me to ring the gong if I heard a noise; only to tell if I heard noise; I was afraid of my life to ring the gong, lest they might shoot me, or rip me open; I had no suspicion at first that Stephens was getting out; I thought it might be an officer bringing him water, but when I did not hear the cell door shut, I thought there was something wrong; I have heard persons speaking to him; I have only seen Casey, Coleman, and Conway speaking to him; I have seen Mr. Kelly often going down the short range; the metal door used always to be kept locked; it was about ten o'clock a.m., I used to see Kelly passing down; I have seen Kelly pass down to the laundry; the night Stephens escaped, I heard some one speaking to him for a long time, when they lit the gas; it was after my gas was lit that the trap was taken down; the person was speaking to Stephens for four or five minutes; it was after lock-up.

MR. PHILPOTTS, Chief Warder, sworn.

Mr. Philpotts.

ON the evening of Thursday, the night on which Stephens escaped, Mr. Lawless, the attorney for the Fenian prisoners, had been visiting his clients, and after coming from them, he came into the office to me, to request me to give the Governor notice that he would require to see Stephens in company with Luby, O'Leary, O'Donovan Rossa, Kickham, Duffy, and Mulcahy. I told Mr. Lawless I should mention his application to the Governor. I told Mr. Marques on the same evening, as he was at dinner, the time Lawless made the application. The Governor showed me a letter, a copy of which I hand in.

(Copy.)

Sir,

Richmond Bridewell, Dublin, 23 November 1865.

HAVING been informed by Mr. Philpotts to-night, that you will require the prisoner, James Stephens, to see and communicate with the other prisoners you saw this evening, and remained in consultation with until half-past five o'clock, viz., Messrs. Luby, O'Leary, O'Donovan Rossa, Mulcahy, and Kickham,

I beg to inform you, that as Mr. Stephens is not your client, and has on more than one occasion declined to see any solicitor, either for his defence or for that of any other prisoner, I cannot permit you to see him, to communicate in private with the other prisoners, without your producing an order from the Committing Magistrate for that purpose.

To John Lawless, Esq.

I am, &c.
(signed) D. Marques, Governor.

In consequence of what I saw in that letter, and being aware that Lawless had been in Stephens's class, visiting, among other clients, Kickham, who was confined in the next cell but one to that of Stephens, when taking the officers from duty on that night, at 10 o'clock, it occurred to me to inquire of Warder Coleman, who had charge of the class, if Lawless had at any time obtained admission to Stephens, and he replied that Lawless had seen Stephens once or twice in reference to his private affairs, but not with regard to his defence. I informed the Governor accordingly of the circumstance, and I brought Warder Coleman down with me to the Governor, and he expressed himself much displeased with

Warder

Warder Coleman for allowing Lawless to see Stephens without permission. I am not aware of any order having been issued to the officers, forbidding them to admit any person to see the Fenian prisoners without a distinct order, but I believe it to have been the Governor's intention to do so. I am aware that the object of the doors at each end of the corridor, in which Stephens was confined, being kept locked, was to prevent any communication with the police, or other persons, by Stephens or Kickham. The inner door was not kept locked during the day; I think Mr. Marques did express his dissatisfaction, when he learned that both doors were not kept locked.

I saw the inner door frequently open during the day time, and I thought it was so intended to be, and I did not make any observation about it. Coleman did not appear to know that the inner door was always to be kept locked; that appeared to be the effect of Coleman's reply.

When on duty, I visit this part of the prison at least three times before 10 o'clock. On all occasions of visiting, I found the inner door locked after lock-up. It was my duty to visit at eight o'clock to see the gas turned off by the warder on duty, and to examine the locks in that range, and to lock the inner door; on all such occasions I found the inner door locked. On the night of the 23d November, I visited the range where Stephens was confined, and opened the door to allow the warder to turn off the gas, on which occasion I examined the locks, holding the lamp to them; but I did not test them by pulling or jerking them. My reason for not doing so was, that it was not usual to do so, and the padlock being heavy, if left free, it would open of itself. At that time (eight o'clock) I pulled the bolt of the metal door at the head of the staircase, and ascertained that it was locked, and I locked the metal door leading into the long range after me. At 10 o'clock, I visited the long corridor, where the Fenian prisoners are confined, when posting the police for the night. At five minutes past four o'clock, I was called by Night-watchman Byrne, who requested me to come down, as he feared something was wrong, and said that, in going to peg the four o'clock peg in the tell-tale clock in the lower prison, he saw two tables placed one on the other by the boundary wall dividing the Governor's garden from the insulating area. I immediately came down stairs, and, finding that Byrne had not called the Governor, I directed him to do so, and I sent the night watchman to call the gate-keeper and the hall-porter. The Governor came immediately, and Byrne told him, in my presence, what he had seen. Before the Governor was dressed I went round the passage with Byrne; I saw the tables in the position described by him; I then went round to the metal door in the passage of the capstan-mill; this door is left at latch-lock at night, the key of which is in possession of the watchman; this door should be at latch-lock, but I found it open; I also found the wooden door leading to the fibre-store of the capstan-mill open, and a false pass-lock key in the lock on the outside; that door should have been locked; the watchman is not furnished with a pass-key for these doors. I returned then, and met the Governor coming round the passage, and he accompanied me to the doors already described; on going back we were accompanied by Mangas and Watchman Byrne; we passed through the door which we had found open, and went direct to Stephens's cell. On going there, we found the door, leading to the solitary yard from the kitchen, open; that door should also be closed on a latch-lock, for which Byrne had a key in his possession to pass him through. We then went up the staircase, and found the two doors leading into the corridor, where Stephens was confined, open; the inner door should have been locked; the locks upon the two doors were the same as on the door in which I found the false key. We then found the cell, in which Stephens should have been, open, and the Governor found the padlock of the cell-door on the ground outside, with a false key in it. We examined the cell, and found that Stephens had gone; from the bed it appeared that he had only lain on the outside of it, the clothes being pressed down. We then examined the rest of the cells on that side in which the Fenian prisoners were confined, and found them all right. We returned down the staircase, and on coming to the passage between the laundry and the reception ward, we found the door dividing the west from the east side of the prison locked; this door should have been open for the watchman to pass through; the lock of this door can be opened by the false key which I found. The Governor, thereupon, questioned Byrne as to when he had last passed through that door; he said at three o'clock, when going to peg the tell-tale clock. We then went and examined the cells in which the Fenian prisoners were confined on the west side, and afterwards examined the garden for traces, but could not find any. I then went, by direction of the Governor, with Mangas to the cell next to Stephens, where prisoner McCleod is confined, and questioned him as to whether he had heard any noise in the range that night; he said he did, that he heard the cell door open, and heard two persons walking, but did not hear them speak; I asked him could he say what time this occurred; he said he heard the clock strike one, and that about a quarter of an hour after he heard what he had described in his evidence; I continued my searches till six o'clock, but could not find any further traces. It is my duty in the morning to check the tell-tale clocks, of which there are four in the upper prison, and one in the lower; the clocks in the upper prison are in ranges 6 and 8, in the hospital, and in the kitchen.

In order to give the watchman time to pass to each clock, that in No. 8 is set 10 minutes slow; the clock in the hospital 20 minutes, and the clock in the kitchen is 15 minutes fast, so as to enable the watchman to stir up the fires before going round. The clock in the lower prison should have been pegged at 12, 2, and 4 o'clock; the clock in No. 8 was not pegged at 3 o'clock, nor that in the lower prison at 4 o'clock; the latter is

accounted

Mr. Phillips.

accounted for by Byrne coming to call me. I had no opportunity of questioning him as to No. 8 clock not having been pegged, as he went off duty early on the 24th instant, and he was arrested the same evening.

JAMES KENNEDY, E. 140, sworn:—

James Kennedy.

I went on duty at 10 o'clock, p.m., on the night of the escape, and I remained till 7 o'clock, a.m.; I stood generally; I stood at the head of the staircase, so as to command a view of the long and front corridor; I knew Stephens was confined in the short corridor; the door was always kept locked; I heard no noise, but the clapping of the windows; I heard no footsteps; I think it was impossible, from the position where I stood, that I could have heard any noise in Stephens's cell, the distance was so great, and the night so stormy. I saw the watchman on that night; I saw him twice to the best of my belief; I think I did not see him three times; I did not know the hours he was to come round; I hear something about pegging a clock; I was on duty here for 12 weeks; I was not always in charge of that class—I was in No. 8 and No. 4; I was on duty in No. 9 before and since Stephens came, about a month altogether. Byrne and Kelly sleep in the rooms at the end of the range; I know Byrne and Kelly; I never saw any one go into their rooms; I walked down the corridor from time to time; when my back was turned a person might have passed out of the two rooms; to the best of my belief no one passed out; I saw Kelly go into his room, and come out in the morning; I did not walk often down the corridor—only once or twice; I got no instructions to walk. Mr. Marques told me on the night Stephens came to be very watchful and careful.

JOHN CONNELL, E. 31, sworn:—

John Connell.

I was on duty in No. 8 class on the night of Stephens's escape; I was on duty there since the first of the month. My instructions were the same as Kennedy's. I saw Connolly go into his room; I think he was in before the night watchman came round. I might have gone down the corridor to shut some of the windows; I stood the most part of the night, so as to command a view of the corridors. It would be possible for either BYRNE or Kelly to go down the stairs whilst I was shutting the windows; the men could have gone down stairs, whilst I went to look at the tell-tale clock; they came out of their rooms in the morning before I was relieved; Connolly got up when the Governor came down the range, about half-past four o'clock; when he heard the footsteps he came out, as if he had just jumped out of bed; he was in his shirt. Byrne often passed me without speaking; I saw Byrne twice that night, exclusive of the time he came up with the Governor; I think it was 11 o'clock when I saw him first; when I next saw him I think it was inside of two hours, about half-past one o'clock; about two hours passed after the second time I saw him, till he came with the Governor. I heard no noise that night that would create suspicion. I think it would be almost impossible for any one to pass out of the warder's room without my hearing them.

MATHEW FOX, A., 126, sworn:—

Matthew Fox.

I WAS stationed in No. 4 class; only one man slept on the lobby where I was placed; I stood right in the door, where I could command a view of the short passage; a man came out of the room opposite where I stood; I cannot say if he was the man whom I relieved; I don't know if he lived there; I don't think he returned that night. O'Connor was in his room before I went up that night; he left it to go to the water-closet; I saw him go back to his room; I saw him come out again in the morning before I left. This (identified Warder Dowling) is the officer I saw going into the room.

M. MEAGHER, Assistant Chief Warder; sworn and examined:—

M. Meagher.

THE lock-up in winter takes place at 5.15, and in summer, at 5.45; a bell rings to summon the warders to commence lock-up; each warder goes alone to the part of the prison under his charge. After lock-up, the officers parade in the front hall, adjoining the board room; they enter in the lockings the number of prisoners under the charge of each, and sign the book. The chief warder, or assistant chief warder, checks the numbers with the commitals and discharges. The warders then give up the keys of the cells and padlocks to the chief officer on duty; the night patrol then receive keys, which enable them to open each cell (if required), and one latch-key to open the chapel, through which they must pass; all side doors are locked; the keys which the patrol receive open all the cells of Fenian prisoners, except those of Stephens and Kickham; the doors at the ends of their corridors being kept locked with pass locks. In No. 8 class, on the short corridor (under that in which Stephens's cell is), and in which Brophy and O'Brennan are placed, the doors of the corridor were kept locked at night in the same way as those of the corridor in which Stephens and Kickham were, but the door adjoining the long range was open in the day. The night patrol, who begin immediately after lock-up, occupy 45 minutes going round, when they return to the guard-room, and remain till 9 o'clock. At nine, when the clock strikes, the night patrol, accompanied by the night watchman, proceed on their second round, and, when completed, they hand over the prison to the night watchman, and place it under his exclusive charge. They then return into the clerk's office, and hand over the keys to the chief warder. In the interval, between the first and

second

second night patrol, at from 8 to 8.20, either the chief warder, or the assistant chief Mr. Moohan-warder, go round and examine the locks and doors, but do not shake or pull the locks, so as to ascertain if they are locked. That is the last time any of the chief officers go round. The watchman goes four times round the upper prison on two nights, and four times round the lower prison on two nights, and on the night he visits the upper prison four times, he only goes round the lower prison three times. The kitchen is visited every morning at 5 o'clock, for the purpose of lighting the fires. There are five tell-tale clocks in the prison, four in the upper prison, v.z., in No. 6, No. 8, in the hospital, and in the kitchen, and in No. 13 class in the lower prison. About 10 minutes is the difference allowed in the time of the tell-tale clocks. The night watchman, on the night of the 23d November, did not peg No. 8 clock at 3 o'clock; and in No. 13, he did not peg the clock at 4 o'clock. The tell-tale clock is the only check on the night watchman; any one as well as the night watchman could peg the tell-tale clock, if he knew how. I never look into the cells on my rounds after the first patrol; I never challenge the prisoners on my rounds after lock-up. Neither the chief warder, nor the assistant chief warder, nor the Governor, to my knowledge, go round to check the night watchman. The locks of the tell-tale clocks could be easily opened by any one provided with a false key; the locks on the clocks are small, weak, and common. Gas is lighted before lock-up, at dusk, and is kept lit till 8 o'clock; at seven, a bell is rung for the gas patrol to go round; two officers are always told off for gas duty, one for the north side of the prison, and one for the west; but since the committal of the Fenians three officers are told off for the gas patrol, two of them at the side where the Fenians are lodged. Since the reduction of the number of police constables at the prison, three officers were told off for gas duty, two being on the side of the prison where the greater number of Fenians are. The two wardens on gas duty go through eight and nine classes; at 7 o'clock, a bell rings for the gas patrol to take up the tools in the cells occupied by prisoners engaged in industrial labour. The gas is put out precisely at 8 o'clock in the cells occupied by the Fenian prisoners; the gas patrol remains on duty till 10 o'clock; they come down then, and report all right. Since the reduction of the police, as stated above, the gas patrol remain on duty till 10 o'clock.

Warders Foster (sen.), Foster (jun.), Lennon, Coleman, Casey, Graham, and Corcoran, and Murphy, night watchman, when not on duty, sleep out of the prison.

Bothe, the storekeeper; McGrath, schoolmaster; and Hogan, master of works, sleep outside the prison.

Warder M'Darby sleeps on the landing of No. 6; Breslin and Gardiner, in the hospital; Mangan, the hall porter, in a room off the hall; and McConnick, above stairs over the guard-room.

Warder Kelly sleeps on No. 9 range, and also Byrne, the watchman, where a policeman was stationed (Connell or Kennedy); Warder O'Connor sleeps on the landing of No. 4; there are Fenians confined on that range, and a policeman is placed there.

Warder Dowling sleeps at the lower side of No. 6 class; Warders Connolly and Lowe sleep on the landing of No. 8; they could not leave their rooms without the knowledge of the police.

The officers who sleep in the officers' quarters, but now moved to No. 4, namely, Sleish, Conway, and Gregory, could come to the iron gate (open barred), separating the upper from the lower prison.

Mr. CHARLES P. GAVIN, Local Inspector, sworn:—

As local inspector I have no confidence in some of the officers; I have confidence in Mr. Marques; I never saw a man who has shown more anxiety for the security of his prisoners, particularly since the committal of the Fenians, than Mr. Marques, or one who was more attentive to his duties. I have visited Richmond up to 10 o'clock at night, and never found him away from his office. I was not aware that Mr. Marques never attended lock-up. I was not aware of any of the arrangements for the supply of constables till after they were made by Mr. Marques; after they were made I knew them; he never consulted me, but he told me what he had done. I knew of the two constables being supplied, and then 25; I was aware of the reduction of the 25 and the substitution of eight; I cannot say I knew the arrangement for the eight men was based on the assumption that two sentries were to be posted. Mr. Marques stated to me that he was to get two sentries; he did not tell me that he had written to the Town Major that he would not require them, but he told me he should not want them. I think it was a few days after that the fixing of the establishment of eight men was arranged by Mr. Lentsigne, Mr. Marques, and Inspector Campbell; I was aware that Mr. Lentsigne had made the arrangements for the establishment of the eight police. This was communicated to me from the Inspectors General of Prisons Office, on the 27th September, for the information of the Board of Superintendence. Mr. Marques informed me of the reduction of the eight men to three; after it was done, he said, now that the two wardens and a watchman were appointed, he should not require so many police; I was not consulted on the reduction; I did not like to interfere with Mr. Marques; he took the whole responsibility. I am aware that the Inspectors General of Prisons rebuked Mr. Marques for "assuming to the Local Inspector a station and a tone far beyond his relative rank." I have no doubt that if I acquainted the Inspectors General that Mr. Marques made himself the channel of communication with them, they would have placed me in my proper position. I made no report to the Inspectors General; the

Mr. Gaslin.

the reason why I did not report the reduction of the police was, because I thought Mr. Marques had done so, he having told me he had been down to the Castle; but he never gave me to understand that he had reported to the Inspectors General the reduction; he has generally told me whenever he had a communication with the Inspectors Generals' Department. I was present when Mr. Marques reported to the Board the reduction of the police force from eight to three; I read, and then heard read, Mr. Marques's reasons for the reduction.

All communications from the Inspector General's Office, respecting prison matters, are addressed to me as Local Inspector. Certainly, there was no communication to me as Local Inspector from the Inspectors General of Prisons Office as to the reduction of the police from eight to three. I admit that it was my duty to report the reduction, but I thought Mr. Marques had made the reduction on proper authority. It did not occur to me to go to the Inspector General's Office, and report the reduction that took place. I can only say that I left the posting of the police and the arrangements to Mr. Marques; I wish it to be distinctly understood that I did not communicate with Mr. Marques in any way regarding the classification of the Fenian prisoners; my opinion was, that if one constable were placed in the corridor with Stephens all would have been secure, but I did not communicate my opinion to Mr. Marques. I was not aware, until after the escape, that both doors at the ends of the corridor were locked at night. Mr. Marques told me he had placed a prisoner in the cell between Stephens and Kickham. I did not know the police constable was shut out from the corridor in which Stephens was. I saw the boy McCleod; and I spoke to Mr. Marques, who said he had confidence in him, and that he would pull his gong if he heard any noise; and I thought the police had access to the corridor. I never made any inquiry as to the disposition of the police in the gaol.

A man named Hayden, and a man named Barnwell, have had the contract for the repairs of the locks of the prison; latterly Hayden has been the contractor. The locks are generally brought away from the prison, when out of order, and keys, in like manner, are brought away by a workman or messenger from the contractor—I speak of all locks in the prison—and, when repaired, they are brought back again in like manner by the workman or messenger. It would be quite competent for the workman to make a key for the locks. I think the false keys were made by an expert smith. I think they were made from an impression taken from one of the gaol keys; my reason for thinking so is the perfect formation of the wards.

Re-examined.

I do not believe it to be my duty to report to the Board the state of the locks; I have never been required to do so. I certainly think it is the duty of the Governor to report to the Board or to me the state of the locks. The Governor never made any report, that I know of, on the state of the locks. No such report appears in the report book. I never knew, during the 14 years that I have been in office, the Board to require any report on the state of the locks. The warders never report to me the state of the locks on the cells or doors under their charge; it is their duty to do so to the Governor. I made no report after the escape to the Board on the state of the locks. I took no steps to call a meeting of the Board to consider the state of the locks. I was not aware that there was a report in the record book by Mr. Marques, with regard to the necessity of considering the state of the locks on the 29th November. It was the usage, if not the duty, of the Governor to submit the record book to me, in order that I should sign it. I left the board-room during the time that the suspension of Mr. Marques was under discussion, and I did not return to it till I was called in, and informed that Mr. Philpotts was to take charge of the prison. I did not look at the record book at that time, and was, therefore, not aware that the Board had passed any resolution in reference to the state of the locks, keys, &c. The locks were taken away to the City Hall. I did not examine them, nor see them, until Monday the 4th December, when the Board met again at the City Hall. I therefore did not report to the Inspectors General the proceedings of the Board of the 29th November; it was my duty to have done so.

Mr. MARQUES, the Governor, sworn:—

Mr. Marques.

I saw the prisoner Stephens last about two o'clock on the afternoon before his escape; he was then in his cell; there was not any one with him at that time. I had no conversation with him then. I opened the trap-door and looked in at him; his sister-in-law, a little girl, saw him twice in my presence; no one else saw him but Mr. Lawless, the attorney for the Fenian prisoners. I learned by chance that Mr. Lawless was admitted to see Stephens. A few days after the occurrence, Mr. Philpotts, the chief warder, told me of it. Subsequently, Mr. Philpotts brought Warder Coleman, who had charge of Stephens, to me, and, on my questioning him, by what authority he had permitted Lawless to see Stephens, he replied he thought he had a right to admit him, as he (Lawless) had been visiting all his other clients in his (Coleman's) class. It was the day before I questioned Coleman, that Lawless saw Stephens; Lawless is attorney for Kickham, Duffy, and Brophy. I was very indignant at Warder Coleman having permitted Lawless to see Stephens, without receiving my special order to that effect. I had given orders that no visitor should be permitted to see the Fenian prisoners, except their legal adviser. Lawless was not employed

employed for Stephens. Warder Coleman said, he thought that, as Lawless was attorney for the Fenian prisoners at that side of the prison, he had a right to let him see Stephens. Warders Coleman and Casey had charge of Stephens, Kiekhams, Duffy, and Brophy. During the two hours exercise, Warder Coleman exclusively attended them, Warder Casey remaining in charge of the class. Coleman was on duty from 7 o'clock a.m. till 10 o'clock p.m. I have the most perfect confidence in Warder Coleman. I selected him in consequence, to place him in this most important post in the prison; he was appointed in 1861, and since that time he has never been reported; he was staff-serjeant in the East India Company's service, and obtained a medal for good conduct. I consider him a most discreet, correct, and steady officer. I have frequently recommended him to the Board for promotion on the ground of his efficiency and character, but he was passed over. I have confidence in Warder Casey, but he is not long appointed—about a month; he is very steady, about 30 years of age. I had no other officer that I could spare from the other side of the prison to place there to discharge this duty, or who could discharge the duty better. I received a high character of him from Dr. Ryan, a member of the Board of Superintendence, and I thought him fit to be placed in that post. The reason I took Casey to put under Coleman was, because I thought highly of him; Warders Coleman and Casey are both married; their breakfasts and dinners were brought to them by some one of their families, which they ate in a room situated in their range. I do not know whether Warders Coleman and Casey ate their meals at the same time. I think they ate the min the sleeping-rooms of Kelly and Byrne, who, being unmarried officers, messes in the hospital, between three and four o'clock. I was under the impression that Warder Coleman took his meals in the room on the landing. Other officers could communicate with the prisoners. Byrne, the night watchman, is on day duty from 7 a.m. to 2 p.m., and from 2 p.m. to 5.30 p.m. on each alternate day; and during the time warders Coleman and Casey were at their breakfasts and dinners, Byrne might have uninterrupted communication with Stephens, by opening the trap-door—the door at the head of the stairs was always kept locked. Night-watchman Byrne proceeding to the unmarried officers' mess would pass along the long corridor by the door of the short corridor, in which Stephens's cell was, that door having been left open during the day contrary to my orders. Kelly might have come up from his rooms during mess-hour. I have not confidence generally in my officers.

Warder Kelly I never had a good opinion of; he has been frequently reported; he is not an efficient officer; I had frequently to report him for neglect of duty, but not lately; I have doubts as to his truthfulness. Of Watchman Byrne, I have had a very indifferent opinion ever since he came here. He was appointed in 1861 as a warder, and though the local inspector and myself refused to certify as to his fitness, he was retained by the Board in that office for two successive probationary periods, which was noticed in the report of the Inspector General for the year 1861; and he was reduced to his present situation (night watchman). In October 1862, whilst in charge of a prisoner, he permitted him to escape, as noticed in the report of the Inspector General for 1862. He has since been frequently reported; since January 1863 he has been often reported. I had since been frequently reported; since January 1863 he has been often reported. I had in a list of his offences, extracted from the defaulter's book. Though I had no confidence in Byrne as a discipline officer, I never thought of his being a Fenian. I thought him stupid and untruthful, but I never thought of him being unfaithful; and he having been frequently put forward for promotion by the Board, I could not think he could act so. Warder Connolly has been very correct since he came here; he is master shoemaker; I cannot say anything unfavourable of him. He was appointed in September 1864. I have never found any occasion to find fault with him. I was greatly surprised to learn that the detective police had found a letter on Fenian subjects in his hat-box; the letter was from his brother, who is in America. I have stated to individual members of the Board that I had no confidence in some of my officers, but not to the Board as a body, lately. The officers recommended by me to the Board for promotion, on the ground of their efficiency, have been frequently passed over in favour of others, who were not so efficient; and, as stated above, I have on frequent occasions recommended Warder Coleman, because I considered him an efficient and intelligent officer, and of undoubted character, but he was not promoted until recently. Again, with regard to Watchman Byrne, one of the members of the Board pressed his promotion from the office of night watchman to that of second-class warder; and it was in consequence of a warm remonstrance on my part that he was not promoted. Even at the last meeting of the Board in this prison, it was proposed and seconded to promote him to a similar step, and I again protested in the strongest terms against his promotion. When I mentioned to Mr. Lentaigne and Superintendent Campbell about my want of confidence in my officers, it was not in reference to Fenianism I spoke. Night-watchman Byrne relieves the gate-keeper at meal hours, when he has possession of all the keys of the padlocks of the outer gates, and the keys of the check-gates. When he is on duty as warder, he has to attend the school with prisoners, to attend the prisoners to the chapel, and to bring the barber to the prisoners on Friday; during that time he has possession of the pass-key, but not the key of the cell padlocks; he has, however, possession of the latter, when required to do the duty of warder. Every warder has a pass-key and cell-key. Warders Coleman and Casey, in No. 9, and Warder Lennon in No. 8, and Warder Foster (junior), in No. 6, have the same padlocks as that on Stephens's cell. The unmarried officers, when at dinner, have their keys with them, and when an opportunity occurred, a model could be taken by any one of them so disposed.

Mr. Marquis.

disposed. A padlock, similar to No. 6, which corresponds with the locks on the cells of No. 9, was found in Watchman Byrne's room. The key of No. 6 padlocks will open the padlocks on No. 9, in which range Stephens was confined. There were only two false keys found, which, with the assistance of the latch-key given to the night watchman, would be sufficient to pass through the prison to the insulating area.

I never attend the lock-up, but I am generally in my office during its progress, often remaining there till 10, 11, and even 12 o'clock at night. As a rule, I never attended lock-up since I was appointed; since the committal of the Fenian prisoners I never attended lock-up. The officer in charge of each class locks the prisoners up; he has not the supervision of a superior officer while doing so. It would be a greater security, if a superior officer attended with the subordinate officers at the lock-up, particularly in the case of prisoners of importance. Whenever I go round, I go singly; I do not join the patrol; I have gone through the part of the prison occupied by the Fenians after 10 o'clock at night; on one occasion I went to Stephens's cell after 11 o'clock—it was the night but one before his escape. After the night watchman has taken charge of the prison, it is under his exclusive care. I never considered it necessary to add a police constable to the watch patrol. The night watchman, when acting in that capacity, never has to do the duty of a discipline officer; he could not go into that part of the prison without a pass-key.

When the "lookings" are made up, I examine them either on the same night or the next morning. The correctness is tested by the discharges and committals. The officers, after lock-up, bring in their keys, and they are checked with the list kept in my office; they are then locked up in the case in my office, and the key is either in my possession, or in that of the chief warder. The prison closes at half-past ten o'clock. I am almost always present at the night parade, and I take possession of the keys of the outer gates, and give them in the morning to Warder Sleith at six o'clock; they remain in my charge till then.

On the 16th September I wrote to the Inspectors General, stating that, in consequence of my being short of officers, I would require the assistance of the police; there were then two of my officers under suspension—Bell, since dismissed,* and the other, McCarthy, since transferred to Grangegorman. The day the Fenian prisoners were committed I asked the superintendent, who brought the prisoners, to send me two constables, and they came at 8 o'clock that night. On the 30th September, Assistant Inspector Campbell arrived here with 24 constables and one sergeant, and he informed me that they were sent here for the protection of the prison, and he placed them at my disposal. On the 25th September, Mr. Lenthaigne, Inspector General of Prisons, came here with Inspector Campbell, to make arrangements for the force to be supplied, on the withdrawal of the men. Before the arrival of Mr. Lenthaigne, the Town Major came to the prison, and stated to me that he had received an order from the Government to supply me with two sentries with reliefs, to be posted all night; he approved of my arrangements for the accommodation of the guard, and I stated that I would inform him when I should require them. It was in consequence of my apprehension of an attack, that I wished for the two sentries to command the canal. As the excitement abated, and as the police house-patrol was ordered to patrol round the prison all night, I came to the conclusion that the guard of six soldiers, i.e., two sentries, and two reliefs, was not then necessary; and I wrote to the Town Major that they would not be required till further orders. I, therefore, did not think it necessary to communicate either to the Executive or to the Inspectors General of Prisons, that I no longer saw any necessity for such military guard.

The arrangements for the number of police, entered into by Mr. Lenthaigne and Inspector Campbell, was for eight men, altogether, to be at my disposal; and this number was maintained till the 2d November, when I addressed a letter to the Commissioners of Police, stating that for the future I should only require three constables for night duty. I made this application, in consequence of the appointment of three officers (Low, Casey, and Murphy, the latter transferred from Grangegorman, vice McCarthy), and because some of the members of the Board had expressed strong opinions as to the saddling of the city with such an expense, nearly £1. per week; I reported to the Board the reduction of the police from eight to four. Four of these eight constables had attended only at the exercise of the Fenian prisoners; two of them came from 6.30 to 7.30, and two of them from 12 to 1 o'clock, p.m., for this duty—to assist the warders to exercise the prisoners; but the duty so performed by the constables, who attended for the two hours in the morning, was subsequently provided for by the appointment of three more prison officers. In the evening at lockings four came in to relieve the warders; the number of whom, as stated above, was at that time three below the proper staff; these four constables were on duty till 10 o'clock, p.m., when they were relieved by four others, who remained on duty till unlock in the morning. Four constables thus remained, and, as I only wanted one constable for each of the three ranges, in which the Fenian prisoners were confined, I felt myself justified in dispensing with one more, particularly as I was anxious to meet the wishes of the Board for economy, the constables retained being one for each range in which the Fenian prisoners were confined; this reduction took place before the committal of the four prisoners, Stephens, Kickham, Brophy, and Duffy; and seeing no increased excitement

* Warder Bell was permitted to resign.

† The four constables who attended at evening lookings were the same as did duty during the day.

excitement, I did not feel justified in applying for the aid either of the police, or of the military, particularly as I was aware that it was in consequence of the arrangements made by Mr. Lestaigne, that the annexed resolution was passed by the Board of Superintendence. I wish further to state, that at the last meeting of the Board of Superintendence in this prison (on the 8th November), an order was made that when the account for the expense of the police should be submitted, a special notice should be given in the summons for its consideration. I did not communicate this reduction either to the Executive, or to the Inspectors General of Prisons, which, on mature consideration, I fear was a culpable omission, which I can account for only by the pressure of business, consequent upon the examination of an extensive correspondence of such a large number of prisoners, the entire of which I had to read carefully and to act on. I beg to add that, in consequence, I have rarely left my office since their committal before 11 o'clock at night.

When the four prisoners, Stephens, Brophy, Kickham, and Duffy, came in, I gave special instructions that during the day and night the doors at the end of the corridors, in which they were, should be kept locked; it appears, however, that during the day, the door adjoining the long range was kept open, but at lock-up both doors were locked; the doors were kept locked all night, and only opened for the gas patrol, who are always accompanied by either the chief warder, or the assistant chief warder; consequently, when the police were placed on duty to exercise supervision over the long range corridor, they were unable to see the short corridor, in which Stephens and Kickham were confined. I made that arrangement, in order that even a policeman could not go near them. I consulted with Mr. Philpotts, the chief warder, respecting it, and we agreed that was the best arrangement that could be made to prevent any communication taking place with the prisoners, and we conceived that this arrangement was most conducive to the safety of the prisoners, never anticipating an escape by means of false keys, or so gross an act of treachery on the part of the officers; and now with the most profound regret I see my mistake, and deeply lament my error of judgment in the arrangements, which, owing to the unfaithfulness of my officers, afforded facilities of escape.

The food brought in for the Fenian prisoners was always strictly searched, and Mangan, the hall porter, detected a bottle of whisky inside a fowl.

I am not aware whether I consulted with Mr. Gavin, the Local Inspector, my superior officer, as to the reduction of the police from eight to three men. I consult with him with regard to the material arrangements of the gaol. Mr. Gavin, was present when I reported the above reduction to the Board. I did not state that I had made that reduction in consequence of any direction received from any authority; I made the reduction on my own responsibility for the reasons assigned; namely, the appointment of two warders, and the transfer of the watchman from Graungeorman to Richmond. I do not think I made any report to the Board as to my not requiring the sentries. Mr. Gavin did not interfere with me regarding the classification of the Fenian prisoners. I am aware that the Inspector General for the year rebuked me in 1859 for the tone and station I assumed with regard to the Local Inspector. I do not think I took the arrangement regarding the Fenian prisoners entirely on myself; I went to Mr. Gavin to consult about having two police, and he approved of what I proposed.

The master of the works looks after the locks; Hayden is the contractor for them for the last five years. When a lock is out of order, the workman who repairs the lock takes it away, and the same person brings it back again; except the two workmen, who repair the locks, no other person ever took them away.

Since the committal of the Fenian prisoners I have gone to the office of the Inspectors General of Prisons frequently—twice or thrice a week. I never experienced any delay in their office in any application I made to it in reference to the Fenian prisoners; if I had stated to the Inspectors General that I required additional aid, I am satisfied that they would have put forward the application without delay.

Re-examined.

The Fenian prisoners were committed to my custody on Saturday, the 16th September. On Monday morning (Sunday having intervened) I went to the office of the Inspectors General of Prisons, and had an interview with Mr. Connellan, the Inspector General. I placed in his hands two letters written on the night of the 16th September—the first to the effect that I was desirous of having the question of the admission to the Fenian prisoners determined, in order that, upon the application of their friends to see them, I should know how to act. In the second letter I begged to bring under the immediate attention of the Inspectors General, that 23 prisoners, charged with being members of the Fenian Brotherhood, having been committed to my custody, and being short of three officers, I felt it my duty to call upon the Superintendent of Police for the aid of two police constables, which had been granted by the Police Commissioners, but only for the present, and on the condition that their services should be paid for; and that I had no authority to enable me to agree to such a condition. To these two letters, I received a reply, to the effect, that I should retain the service of the police, and deny access of visitors to the Fenian prisoners until further direction. On the following day, I received an order from the committing magistrate. On the 20th September, I again called at the prison office, having been sent for by Mr. Connellan, who stated that he wished to see me, in order to inform the Government, whether any police constables, in 1848, were paid for their

Mr. Marques. their services by the city. I stated that I had a military guard, and no police, and that the city paid nothing. I explained what I wanted the police for, and stated, that, unless Government afforded me the support I required, I could not answer for the consequences, because I had no confidence in some of my officers. On the evening of the same day Superintendents Fitzpatrick and Campbell, of the police, called to inform me that 25 constables were to come to the prison, and he under my orders for any duty they would be required to discharge. I arranged with the Superintendents to have four men here at six o'clock, for duty inside, two to be over the prisoners in No. 4, and two in No. 3, to prevent any of them from communicating with each other, and to prevent any officer of the prison from speaking to any of them. I never received any further instruction from the Government or the Inspectors General, till Mr. Lentaigue and Superintendent Campbell called on the 25th September to ascertain what force of police I required; and after explaining my views, and showing them the impossibility of my being able to carry them out, without the assistance of a number of police constables, we agreed that four men should attend for inside duty from six to 10 o'clock, p.m.; four men from 10 p.m. to 6.30 a.m.; two men from 6.30 to 7.30 a.m.; and two men from noon to 1 p.m.

Re-examined.

When I called on Mr. Connellan on the 20th September, and stated to him that I had no confidence in some of my officers, I did not allude to Fenianism, having no suspicion then of its existence amongst the warders; but I was afraid that some of them would not discharge their duty strictly.

Mr. Marques examined by Board of Superintendence.

Since the appointment of the present Board, have all the appointments and promotions of the officers of the prison been made in accordance with your opinion of said officers?—Yes, except in one instance.

In what instance?—I refer to the case of Warder Coleman. I recommended him as the first person for promotion, which was not carried out.

What reason was stated?—Some of the members of the Board expressed an opinion, that as his means were more independent than other officers, and as I could not spare him from the position he was in, and as I could not name another officer fit to fill his post, he was passed over.

Has Coleman been promoted since?—Yes.

DOCUMENTS handed in by Mr. Marques.

(1.)

LETTER of Mr. Marques to the Board.

Gentlemen,

19 September 1865.

I HAVE the honour to report that 31 prisoners have been committed to my custody, charged with the offence of "high treason," and in their treatment I am acting in accordance with the instructions I have received from Government; I had some difficulty in providing accommodation for such a number of prisoners, and that in consequence of the want of officers, I deemed it my duty to apply for, and obtained two police constables, for the supervision of the prisoners at night. If I should be able to leave this to attend your Board to-morrow, I shall explain the course I have taken to promote the ends of justice, and for the safety of the prisoners.

The Board of Superintendence.

I have, &c.
(signed) D. Marques, Governor.

(2.)

RESOLUTION of Board of Superintendence.

29 September 1865.

Moved by Counsellor Devitt.—That the Secretary be directed to communicate with Sir Thomas A. Larcom on the subject of the demand of £1.8s. for the service of the police for one week, rendered necessary by the great influx of prisoners in Richmond Prison; and as the citizens already pay the police tax, the Board consider it a great hardship to have to pay so heavy a demand as that made by the Commissioners.

Question put and carried.

(3.)

RICHMOND BRIDEWELL—Reports, &c., against *Daniel Byrne*.Reports against
Daniel Byrne.

1861. June 12. Reported unfit to perform the duties of a general warder. Board ordered a further trial.
- " Oct. 16. Same report as above. Board postponed the matter till next meeting before Christmas.
- " Dec. 23. Report of Governor as to unfitness of Byrne for the duties of warder. Board transferred Byrne to the position of night watchman, in room of Denis Kelly promoted to the position of warder. Late for morning parade during the year 13 times. Fined on two occasions 6d. each time.
- " July 2. Accusing Warder Sleith of stating a falsehood. Fined by Board 1l., cautioned, and informed he will be dismissed for next offence.
- " Oct. 29. *Allowing prisoner Fallon to escape from capstan mill. Suspended by Board on November 5. November 19, reentered, and fined one month's pay, 3l. 6s. 8d., and severely reprimanded.*
1862. Dec. 3. Denying statement made by Warder Sleith. Reprimanded by Board. Late for morning parade during the year 1862, 10 times. Fined three times 2s.
1863. Jan. 10. Late for morning parade 10 minutes. Fined 6d.
- " " 26. *Signing the names of Warders Kelly and Maloney, in the morning signature book, to appear as if they were not late for parade. Query and reply submitted to Board. Case investigated by Board, and fine of 1l. 10s. inflicted.*
- " " Neglecting to attend to kitchen fire on 18th instant. Reprimanded. Not pegging No. 6 clock, at 3 o'clock a.m. on 25th instant. Reprimanded.
- " April 10. Late for morning parade six minutes. Fined 6d.
- " May 28. Not pegging No. 6 clock on 27th instant. Explanation accepted.
- " June 3. *Stating what was not true—that he waited to see a steamer from the quay with a lunatic he had charge of. Case was investigated by the Board. Byrne called before the Board, fined 1l., and severely reprimanded.*
- " " 29. Late eight minutes for morning parade. Fined 6d.
- " July 30. Not pegging kitchen clock, and making false statement against Chief Warder.
- " Aug. 2. Neglecting to peg hospital clock. Both cases investigated by Board, who ordered Byrne to be severely reprimanded.
- " Sept. 21. Not pegging No. 8 clock at 3 a.m. Admonished by Governor to be more careful.
- " Oct. 12. Not pegging No. 8 clock at 12 o'clock. Again admonished by Governor.
1864. June 22. Not pegging No. 8 clock at 11 p.m. on the 21st instant. Cautioned by Governor.
- " Aug. 24. Going his rounds without his lamp at 11 p.m. on 19th July. Reprimanded by the Board.
- " " 24. Neglecting to attend to fire of steam-boiler on 15th instant. Cautioned by the Board. Late for morning parade during the year, six times.
1865. To Nov. 23. Late for morning parade five times.
- " " 20. Neglecting to peg clocks twice. Fined 3d. each time.

WILLIAM HOGAN, SWORN.

I AM master of the works at Richmond Bridewell. When the report is made to me by the Governor of locks being out of order or repair, I examine them, and if necessary, send word to Mr. Hayden, the contractor for the locks, and he sends M'Mahon, the workman in his employment. I have not seen any workman there for years, but M'Mahon. Sometimes he repairs them in the prison, always in my presence, and sometimes he takes them away, if the repairs are such as cannot be executed in the prison; he also brings them back, and puts them on again. One lock on the yard door, leading to No. 8 class, and one lock in No. 9, leading from the long corridor to the hospital staircase, and one lock on the metal door, leading to the lower prison from the kitchen, have been taken away this year, and are the only locks which were taken out of the prison this year. A pass-key would pass all the locks. Mr. Hayden's workman, M'Mahon, has a pass-lock key; I have seen it in his possession when he was making new pass-locks. When I saw it in his possession, he was at work at a bench in the shop with other men. The locks on the stone staircases leading to the ramparts are of the same pattern on three of them. They are good ordinary stock-locks. The lock on the fourth staircase is attached to No. 7 class at night. The key, which passes the three similar locks, is in possession of the gatekeeper during the day, and the key of 4th is attached to key of No. 7. Connolly is the warder of No. 7.

William Hogan.

Mr. BARNWELL, SWORN.

Mr. Barnwell.

I AM a manufacturing ironmonger. I was for many years the contractor for making and repairing the locks of Richmond Bridewell. I was contractor from 1818 up to about six years ago. Occasionally, during the last six years, I have been called upon to make a lock for Richmond Bridewell, but I have not had any of the repairs to do. Upon two different occasions, since the escape of Stephens, I examined the locks of the prison, both padlocks and range locks: they are in a very insecure state; some of them could be opened without a key. It will be necessary that the principal portion of the padlocks should be replaced; some of them are totally worthless; but a few others were originally very valuable, but have become very insecure, from mismanagement or ignorance on the part of those who were employed in cleaning and repairing them. In No. 9, I examined the greater portion of the locks, and found them worthless. I examined the padlock on Stephens's cell; I did not think it worth sixpence in point of security; I opened it without the key, simply by shaking it. I also examined one lock in No. 8, and found it useless and wholly insecure. I did not, therefore, prosecute the examination. On some of the passage doors there are second locks, which were originally valuable, but are now greatly out of order, having been disused for many years; they are capable of being made as good as ever. In 1848, I put on valuable double locks on the leading doors of the ranges in which the State prisoners were confined; I put on, as far as I recollect, 17 locks. I am at present engaged in rendering the cells in Mountjoy Prison secure by sheeting the cells, and adding strong bars and bolts to all the leading doors. I am very familiar with the prison. The two doors leading from No. 7, in the lower prison, were both provided with valuable locks, which I furnished. Mr. Lentaigue, in my presence, asked Mr. Marquis for the keys belonging to the locks, to which he answered, he had not the keys for many years. Mr. Lentaigue then directed me to make keys for them, altering the lock so as to render the former keys useless if they should be found. Mr. Lentaigue also ordered me to alter all the pass-locks of the prison.

APPENDIX, No. 2.

SUPPLEMENTAL EVIDENCE TAKEN AFTER REPORT.

LIST OF WITNESSES.

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Warder John Gardiner	- - 22	Warder Joseph Casey	- - 24
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John Gardiner.

Warder JOHN GARDINER, Sworn, and Examined on 11th December 1865.

WARDER BRESLIN and I are the only two prison officers who have rooms in the hospital; we have charge of it. Warder Breslin's room is on the top landing next the tell-tale clock; it is on the story corresponding to No. 9 range of the prison cells, and directly over the surgery; my own has been since my appointment, until Friday last, on the second landing, corresponding with No. 8 range of cells, and next the surgery; I was ill of rheumatic gout, and confined to bed in my room, from the 15th to 22d November; I resumed duty on that day; Warder Breslin and I are on duty in the hospital daily until lockings at half-past five o'clock, when we give up our keys, except the key of the hospital wards. That key is kept by whichever of us is on duty, until 10.30 p.m.; after that Warder Breslin keeps it, as it is his duty to get up during the night, should a lunatic cause a disturbance, or a patient require his services, or medical assistance. On alternate evenings, Warder Breslin or I have sole charge of the hospital, from lockings until half-past ten o'clock. On the evening of the day on which I resumed duty, I had sole charge up to 10.30 o'clock, and on the evening of the 23d November, warder Breslin had sole charge the whole night from lockings. I left the prison at 6.10 p.m., as appears by the gate-book, on the evening of the 25d November, and returned at 10.9 p.m. The key of the

the wooden door from the insulating area into the lower prison garden, although marked in the key list, as in the custody of Warder Breslin, had always been in my charge when I am on duty. Warder Breslin has only charge of it on alternate Sundays, and when I am off duty, as I do not give it to a strange officer while Warder Breslin is in the prison. I had not charge of it from the 15th to the 22d November, during my illness; other officers have the key sometimes. I gave it on two occasions to Warder Sleith, kitchen warden, to get vegetables, and occasionally another officer doing my duty, may have got it, but as a rule it is in my possession, or in the possession of Warder Breslin. It is given up to the chief or assistant-warder, at lockings every evening. It is hung up in the glass-case in the governor's office, on the peg for Warder Breslin's keys. On the evening of the 23d November, I left the prisoner at 6.10 and drove to Westland-row Station; I went by 6.30 train to Blackrock, to see my grandmother, Mrs. A. Wylie, 19, Prince Edward-terrace, Blackrock; I remained in her house until either the 8.30 or 9 p.m. train from Kingstown, and I walked direct to the prison; I did not go into any house. On the night of the escape, I left the prison at the same time as Warders Kelly, Connolly, O'Connor, and McDarby; I took a car at Leonard's Corner and went straight to the railway; my mother lives at 31, Synge-street, but I had not seen my grandmother for some time, and knowing that the trials would prevent me from going out, I went to see her; I was not with any of the prison officers during my absence, from 6.10 to 10.9 p.m.; when I returned I must have picked up with Kelly close to the prison, between Leonard's Corner and the prison. I never saw my grandmother since that night until last night.

Warder JOHN BRESLIN, Hospital Superintendent, Sworn, and Examined on
11th December 1865.

I AM hospital superintendent, I have the charge of the hospital, and have to carry out the orders of the doctor. I give up some keys at lock-up, but I keep during the night the key of the hospital wards (one key opens the six wards); also the key of the surgery, the key of the bath-room, and the key of the kitchen, which likewise opens one of the two doors, from the ward to the lunatics' dining-room. The other door, between the ward and the lunatics' dining-room, is secured by a pass lock, of which I do not keep the key at night. The front door of the hospital is opened by a check key, which I and the other resident officers always keep. Warder Gardiner has generally charge of the other keys of the hospital, but if he is absent I keep them, if a young officer, or one not acquainted with the hospital duties is put in his place. On alternate Sundays, I keep all the keys, and I kept them during the illness of Warder Gardiner, from the 15th to the 22d November. The only keys connected with the hospital, not in the custody of either of us, are the keys of the eight cells in No. 9 range, attached to the hospital, and the square pipe key which opens the door between the hospital cells and the rest of the hospital; these two keys are generally in the custody of a third warder; Warder Casey has them at present. It is my duty to visit these cells, but not at night, unless specially called by the watchman; I generally visit them in the morning. The cells are principally used for ulcerated legs, itch, and venereal cases; the cells are separated by a wooden partition and door from the other cells in No. 9 range.

Warder Kelly and Watchman Byrne were in the habit of going daily by that door, from No. 9 to the mess-room for unmarried officers, which is in the hospital. Warders Connolly and Lowe might pass that way, or through range No. 7. I sleep on the top landing of the hospital, on the same level as range No. 8. The tell-tale clock is outside my door; I do not generally hear the watchman marking the clock; I did not hear him on the night of the 23d November, after 11 o'clock; I went to bed at half-past 11 o'clock, and heard nothing during the night, and saw no lights.

The key of the door leading from the insulating area into the lower prison garden, is in charge of Warder Gardiner when he is on duty, but I have it when he goes off duty. Lately there has been much recourse through the door into the lower prison garden from the hospital. They bring the ticks with straw through it, and bring them back with fresh straw; they go through it for lime, and the kitchen warders for vegetables. Lunatics were also in the habit of going through it, to work in the governor's garden.

If during the night a patient in the hospital requires the doctor, I get up, and go through the prison to the front, and call the chief warder.

Warder PETER COLEMAN, Sworn, and Re-examined on 14th December 1865.

On the night of the 23d November, I was in charge of No. 9 range with warder Casey. After lock-up, after seven o'clock, I took up the tools from the prisoners of the entire prison; I was accompanied by Warder Lennon, when taking them up on the east side of the prison (next the lower prison), and by Warder Dowling, when taking up the tools on the west side. I was about 20 minutes occupied in doing so. The cross-door between the short range, in which Stephens was, and the long range of No. 9, was locked by me immediately after the letter was given to Stephens by me at about 20 minutes past five o'clock. I was not in the range of Stephens from that hour (20 minutes past five o'clock) until eight o'clock, when Mr. Philpotts let me in to put out the gas, and I was not there afterwards during the night. I did not bring any parcel or anything to Stephens after I gave him

Warder Coleman.

him the letter. At about 25 minutes past five o'clock, I gave all the keys to warder Casey to deliver to Mr. Philpotts; he did not come back to the range, and I did not see him again that night. While I was taking up the tools on the west side of the prison, Warder Lennon was the only officer in charge of the east side of the prison. This range is No. 8. Connolly had charge of No. 7 up to lock-up, but not afterwards. The patrol is for the whole prison. They go through the ranges and examine the cells, but do not remain in any one place; they examine the lower prison and the upper prison. Warder Lennon and I were the only two prison officers in charge of the east side of the prison, between the hours of lock-up and 10 o'clock, when the police came on duty, except that the patrol passed through the prison (with the exception of the short ranges of 8 and 9). I locked the iron door at the end of the short range next the wooden door, within five minutes of the time I locked the iron door at the opposite end. I did not test the wooden door, but it appeared locked. I am not aware that Mr. Lawless ever saw Stephens in his cell.

Warder JOSEPH CASEY, Sworn, and Re-examined on 14th December 1865.

Warder Casey."

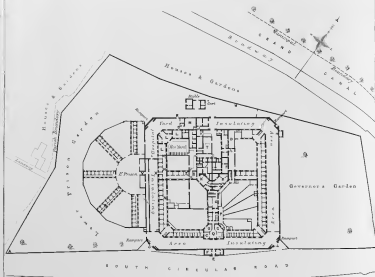
I WAS on patrol with warder Lowe on the night of the 23d November. It was neither of our turns to do the duty; it was Kelly's turn to be on duty; I did duty for him. It was I asked Kelly would I do his duty, as I wanted to go out on my evening for duty, Saturday. I seldom do the patrol or gas duty on the nights fixed for me; we arrange among ourselves who is to do it. After lock-up, I did not do duty in the range beyond patrol duty. I remained in the prison until 10 o'clock. I was not in No. 9 range, except on patrol, on that night after lock-up, and I did not go at all into the range of Mr. Stephens's cell, as it was locked. I am a native of the city of Dublin. My father was from Wicklow. I never was in Wexford in my life. My mother's name is Doyle. I have seen Mr. Lawless in the cell of Stephens; I let him in a couple of times. Warder Coleman attended the exercises of the other prisoners, and I had charge of the range in his absence. It was at that time that I let Lawless into Stephens's cell. I do not know whether warder Coleman was aware that I let Mr. Lawless into the cell of Stephens; he may have been present for all I know; I do not remember. I think I let him into the cell on Monday previous to the escape; it was either on the Monday or Saturday previous to the escape. I never got orders not to let Mr. Lawless into Stephens's cell. Mr. Lawless used to go through all the prisoners, and I did not think it out of order to let him see Stephens. I remember getting an order for Lawless to see three prisoners, and I think Stephens was one of them. I think it came from the governor; it was laid on the desk. Warder Coleman objected to Mr. Lawless being so troublesome, and he then brought the order. I thought it was an understood thing that Mr. Lawless was to see the prisoners.

NICHOLAS MANGAN, Hall Porter, Sworn, and Examined on 18th December 1865.

Nicholas Mangan.

I WAS on duty at the gate of the Bridewell on the night of the 23d November, when Stephens escaped; a light ladder is kept in the guard-room at the gate. It is used by the officers on patrol to light the lamps in the insulating area round the upper prison and the lower prison. It is taken after the six o'clock parade by them for the purpose, and they are generally about half an hour away. After the watchman is placed on duty, he has the key of the guard-room in which that ladder is kept, consequently he had access to the room at any time during the night; it is his guard-room, and it is, I believe, his duty to lock the door after him, when going his rounds. John McCormack is gatekeeper, but I do duty on alternate evenings at the gate up to 10.30, or until the prison is locked for the night. On that night, I did duty, but left the gate and guard-room at 48 minutes past 10 o'clock, and gave up the keys to the governor; after that the watchman had sole charge of the guard-room and the ladder. It is the duty of the watchman, I believe, to take out the ladder in the morning to extinguish the lights.

RICHMOND BRIDEWELL



FACSIMILE OF FENIAN OATH

FOUND IN

NIGHT-WATCHMAN BYRNE'S ROOM.

24/4/65
JL

In presence of Almighty
 God I swear to be a soldier
 of the Irish Republic now
 virtually established, to take
 up arms at a moment's notice
 to defend her integrity and
 independence, to obey all orders
I may receive from the officers
placed over me. Finally I take
 this in the spirit of a soldier
 of liberty - To help me God

APPENDIX, No. 3.—PLAN OF PRISON.

REFERENCE.

- A A prisoner escaped over the wall at this point in 1861.
 B Bekchoase.
 C Clerk's office.
 D Laundry.
 E Entrance to Prison.
 F Guardroom used by Night-watchman Byrne on night of escape.
 G Quarters of Governor and superior officers.
 H A prisoner under the charge of Watchman Byrne escaped over the wall at this place in 1862.
 I Door between hospital yard and insulating area.
 J Door found open, with false key in the lock, on the night of the escape of Stephens.
 K Kitchen.—The R. C. Chapel is immediately over B and K.
 L Hospital where Lunatics are lodged.
 M Old capstan mill, now used as Lunatics' dining-room.
 N No. 7, Long Range. Nos. 8 and 9 Ranges are immediately over it.
 O Governor's office.
 PPP Passages through the prison.
 Q Entrance Hall.
 R Wooden door leading from hospital yard into Lower prison garden, found unbarred on the night of the 30th November.
 S Door leading from Lunatics' dining-room into hospital yard.
 T Treadwheel.
 UV Gates leading from Circular-road into insulating area.
 W Door leading into insulating area found open on the night of the escape.
 X Door leading from No. 7 Range into insulating area opposite entrance to Lower Prison.
 Y Entrance to Lower Prison.
 Z Cell of Stephens.
 a Point where Tables were found on night of escape.
 b, c, d, f, g, Doors through which it was surmised that Stephens might have passed in making his escape.
 A Door which should have been on the latch; found locked on the night that Stephens escaped.

APPENDIX, No. 4.

STATEMENT OF THE INSPECTORS GENERAL OF PRISONS.

We think it more convenient that each should state separately his own action in reference to Richmond Bridgwell since the first committal of the Penian prisoners.

Statement of Mr. Curry Coscullen.

TWENTY-THREE prisoners, charged with being members of the Penian conspiracy, having been committed on Saturday afternoon, September the 16th, Mr. Marques, the Governor, waited upon me, on the following Monday morning, in the Prisons' Office, and placed in my hands the annexed letters, numbered 1 and 2. Seeing that he was nervous and anxious, and having ascertained that neither the Under Secretary nor the Attorney General had arrived at their offices, I did not hesitate, although fully aware that I was acting without jurisdiction, of which he also was sensible, to direct that the letter, numbered 3, should be written, in order to give a quasi-official support to him, and to avoid the endangering of the security of the prisoners, and the interests of justice, for a moment. Mr. Marques left me, and the Attorney General having arrived shortly afterwards, I had an interview with him. I informed him of the course taken by me, which he approved; and I called his attention to the annexed by-laws, Nos. 5 and 6. He accordingly, I presume, consulted with Mr. Stronge, for, on the following morning, Mr. Marques received an order from the latter, prohibiting communication.
 The letter, numbered 1, I transmitted, in due official course, to the Under Secretary; and,

and, having subsequently waited upon him, I was directed by him to ascertain from Mr. Marques, whether, in 1848, any police constables were paid for their services by the city. I accordingly sent for Mr. Marques on the 20th, and having learned from him that, in that year, he was furnished with a military guard, but not with police, and that the city paid nothing, I communicated the fact to the Under Secretary. At that interview he took occasion to observe that his staff was very short-handed, and that he had no confidence in some of his officers. He did not allude to Fenianism, having, as he states in his evidence, no suspicion then of it amongst the warders; but he feared that some of them would not discharge their duty with strictness. I forthwith acquainted the Under Secretary and the Attorney General with this statement; and consequently, as I am instructed, orders were issued to the Commissioners of Police to send a force to Richmond Bridewell, which orders were carried into effect on the same day, by sending 25 men.

The above were the only instructions which I ever gave or conveyed to Mr. Marques or to any other officer of Richmond Bridewell. On the following day, September the 21st, I was obliged to start for the north of Ireland, to which I was called by official business, which both my colleague and I considered very important; and he, at my urgent instance, returned to Dublin.

COPY LETTER No. 1.

(Immediate.)

Sir,

Richmond Bridewell, 16 September 1865.

I beg to request that you will be good enough to bring under the immediate attention of the Inspectors General of Prisons the committal to my custody this evening of 23 prisoners, charged with being members of a secret society called the Fenian Brotherhood, and that in order to promote the ends of justice, I have deemed it necessary that a strict supervision should be kept over them *day and night*, but that owing to my being short of three officers, I have felt it my duty to call upon the Superintendent of Police for the aid of two police constables, which were granted by the Commissioners, but only for the present, and upon condition that their services should be paid for. In the absence of any authority from the Board of Superintendence to enable me to agree to such condition, I consider it my duty to seek, through the Inspectors General of Prisons, the support of the Government to carry out my views.

R. Clegg, Esq.,
Prisons' Office, Dublin Castle.

I have, &c.
(signed) D. Marques, Governor.

LETTER No. 2.

(Immediate.)

Sir,

Richmond Bridewell, 16 September 1865.

I consider it my duty to ascertain whether the prisoners committed to my custody this evening, charged with being members of a secret society called the "Fenian Brotherhood," are to be allowed to see visitors, in accordance with the 5th rule applicable to prisoners for trial or further examination, at page 155 of the prison by-laws. I shall feel obliged therefore by your being good enough to submit the question to the Inspectors General of Prisons, in order that, upon the application of the friends of the prisoners to see them, I may know how to act.

Richard Clegg, Esq.,
Prisons' Office, Dublin Castle.

I have, &c.
(signed) D. Marques, Governor.

No. 3.—REPLY to LETTERS 1 and 2.

Sir,

Office of Inspectors General of Prisons,
Dublin Castle, 18 September 1865.

In reply to your two letters of the 16th instant, I am directed by the Inspectors General of Prisons to instruct you to retain the service of the police, and to deny the access of visitors to the prisoners charged with being members of a secret society called the "Fenian Brotherhood," until further direction.

The Governor, Richmond Bridewell.

I am, &c.
(signed) Richard Clegg.

EXTRACT from the BYE-LAWS relating to "Prisoners for Trial and for further Examination."

No. 5.—They shall be permitted to see their relations and friends on any two appointed days in the week, between the hours of 10 a.m., and 1½ p.m., and at any other time on a week day by an order from a committing justice, or from the local inspector, or by authority of the Governor under special circumstances, which shall be entered in his journal; and they shall be permitted to see their legal advisers (by which is to be understood a certificated attorney or his clerk) on any day, at any reasonable hours, and in private if required.

No. 6.—If the committing magistrate or the local inspector shall give an order, in writing, that any prisoner for trial, or for further examination, shall not be allowed to communicate with any relation or friend, or that the Governor shall know any sufficient cause why such communication shall be prevented, such relations or friends shall not be permitted to see or communicate with such prisoner; and the Governor shall enter the particulars of the case in his journal.

STATEMENT of Mr. Lentaigue.

THE Dublin prisons not being included in my district for the present year, the only occasion on which I acted or reported in reference to Richmond Bridewell, since the commencement of 1855, up to the time of the escape of the prisoner, James Stephens, was on the 25th September, more than six weeks previously to the committal of Stephens, and just two months before he escaped from the gaol.

Having left Dublin on the 16th September, the day following the first arrest of the editors of the "Irish People," I was engaged in an official inspection of my district in the west of Ireland. When in Galway I received a letter from my colleague in Dublin, who had urgent occasion to meet a Board of Superintendence, and to discharge other official duties in the north of Ireland, asking me to come to Dublin at the end of the week, as questions might arise requiring personal interviews with the Government. In consequence of that letter I came to Dublin on the night of Saturday the 23d September, and on the following Monday, 25th September, I was sent for by the Under Secretary, he having just had a letter from the Police Commissioners (marked A), annexed, in which they state that "at considerable inconvenience to the service, they had given the Governor of Richmond Bridewell the temporary assistance of 25 police constables;" and I was verbally directed by him to ascertain from Mr. Marques whether he considered the members of his staff trustworthy, and that they could be depended upon, as he (Marques) had mentioned to my colleague that he had no confidence in some of his officers.

See page 20.

I was on the same occasion instructed that a military guard was ordered for the defence of the gaol from the outside, as urged by Mr. Marques in his letter to the Under Secretary of the 23d September (marked B), annexed, stating—"I do deem it most expedient that two sentinels should be kept at the gate from nightfall to daylight; and as I have the means of accommodating a military guard, sufficient to afford the necessary relief for the two posts, it would be of importance that such guards should be provided, to be immediately placed at the gate, where the insecurity of the boundary-wall affords a means of access to the insulating area of the inner wall." I was also to learn from him what number of police constables, under the circumstances, he would require for the purposes mentioned in his correspondence with the police authorities of the 17th and 23d September (marked C and D) annexed, in the former of which he states, that he requires the services of constables at the gaol, to assist his officers in keeping a strict supervision over the political prisoners committed to his custody, but "not for the safe custody of the prisoners."

See page 20.

See page 20.

I was further to inquire for what purpose Mr. Marques required some fire-arms for which he had applied.

In consequence of this communication from the Under Secretary, I had an interview with Mr. O'Ferrall, Police Commissioner; and he directed Mr. Campbell, Chief Superintendent of Police, to accompany me to the gaol, in order that we might consult with Mr. Marques as to the arrangements to be made.

Upon our arrival at the gaol I questioned Mr. Marques on the different subjects with regard to which I was to report, and I went over with him the list of his men. He then assured me that he was satisfied his staff was trustworthy, and that they might be depended upon, except that he could not have confidence in late appointees—men who had not been tried—but added, "The staff is doing its duty." He seemed anxious that the Government should supply to the gaol a good description of fire-arms, to be placed in the hands of his officers, in case of an attack from the outside, as the carbines in the prison are old and worthless. Mr. Marques appeared not to have the slightest idea that any of his officers would betray their trust; and in 1848, when he had the custody of some of the leaders of the political movement of that day, his then staff was faithful.

Nevertheless I did not think it prudent that men unskilled in the use of fire-arms should be intrusted with them. Chief Superintendent Campbell agreed with me, and expressed it, as his opinion, that even his own constables should not have fire-arms, as he

believed,

believed that, in case of an attack, his men would make a better defence with their batons, than if they had weapons in their hands which they did not know how to use.

Mr. Marques stated, what I was already aware of, that a military guard had been ordered to defend the outside of the prison, and that the sentinels were to be stationed during the night, viz., one on each of the two ramparts, at the rear of the Bridewell. I also ascertained from him that the Town Major had visited the prison during the day, to satisfy himself that proper accommodation could be provided for the military guard.

I was aware that the only two escapes effected from the prison for many years had been from the Lower Prison garden, close to the points which Mr. Marques proposed to guard by means of military sentries, and therefore felt satisfied that he was right in the arrangements which he proposed.

After the arrests of the political prisoners, and previously to the 20th September, only two constables were on duty in the Bridewell; but from that date the arrangement, as appears from Inspector Armstrong's Report (marked E) annexed, of which the following are extracts, stood thus:—

"Four constables attended a few hours each day during the exercising of the Fenian prisoners, and with the addition of a like number of constables assembled at 6 p.m., and remained in the prison till half-past 10 o'clock.

"Eight constables were placed on duty each night in those corridors wherein political prisoners were confined.

"Four constables did night duty, patrolling the carriage-way and passages round the prison."

We decided that the eight constables on night duty in the corridors should be continued, but Mr. Marques having informed us that he required the constables on day duty for only one hour each relief; and, as the cost to the city was 18s. 6d. a week per man, it was arranged that four of those engaged at night should be allowed earlier off duty, and should attend, instead, for one hour in the day, during the time the State prisoners were at exercise. The military guard was to take the place of the night patrol. See Chief Superintendent Campbell's Report (marked F) annexed.

If Mr. Marques had expressed a wish for more constables, we would, without hesitation, have given them; but he stated that the number was quite sufficient for the purposes for which he required them. I desired him to put on paper, for Mr. Campbell's guidance, the particulars of the arrangements he wished carried out; and he accordingly did so.

These constables were to be employed altogether in the corridors in which the political prisoners were confined, in order to prevent intercommunication from cell to cell at night; and had the arrangement not been interfered with, I do not think it possible that an escape could have been effected. Chief Superintendent Campbell is also of this opinion, as will be seen by his report (marked F) annexed, paragraph A.

In order to give full time to the Government for consideration of the above, I requested Chief Superintendent Campbell to make no alteration in the police guard on the night of the 26th September. I reported the proposed arrangement on that evening in writing, to the Under Secretary, and informed my colleague, who was absent in the north of Ireland.

I likewise suggested that a meeting of the Board of Superintendence should be called to sanction the expenditure. The cost to the city for the eight constables was 7l. 8s. weekly. Twenty-five men would have cost 23l. 2s. 6d. weekly. The military guard would have cost nothing.

On the 26th September, the day following the date of my report, I received a letter from Mr. O'Ferrall, Police Commissioner (marked G) annexed, in which he states, "the Commissioners will look to the Inspectors General of Prisons to see that the cost of the police force at the Bridewell be regularly discharged," which letter I forwarded to the Board of Superintendence, and made a personal request to several members of the Board, that they would see the amount paid; notwithstanding which, it elicited from the Board a resolution complaining of the expense, which they forwarded to the Under Secretary. (See document marked H).

It appears that Mr. Marques reduced the police force from eight constables to three on the 2d November, nine days before the arrest of Stephens, when three additional warders were appointed by the Board. He did so, without informing the Executive, or the Inspector General, who were both under the belief that the military guard was regularly doing duty at the Bridewell. It will be seen from Inspector Armstrong's report already referred to, that in making the reduction, Mr. Marques was anxious to save expense, as may likewise be gathered from his report to the Board of Superintendence, dated the 7th of November last (marked I), annexed.

The very grave error in this alteration was that the political prisoners were left from lock-up to 10 o'clock p.m., without police supervision.

In my opinion it was most reprehensible on the part of Mr. Marques to have failed to report these serious disarrangements to the Executive, and to the Inspectors General of Prisons.

In conclusion, I have only to add that my colleague, who had charge of the Dublin district, came to Dublin on the 30th September, and thereupon I returned to my own circuit.

See page 30.

See page 30.

See page 31.

See page 31.

See page 31.

See page 32.

DOCUMENTS referred to in Mr. *Lentaigne's* Statement.

(A.)

Metropolitan Police Office, Castle,
25 September 1865.

THE Commissioners of Police beg to call the attention of the Under Secretary to the attached application of Mr. Marques, Governor of Richmond Bridewell.

The Commissioners, at considerable inconvenience to the service, have given the Governor the temporary assistance of 25 police constables. It is not possible for them to exceed this number, nor, indeed, to continue them there, if the tranquillity of the city should be at all disturbed.

The Commissioners conceive that there must be legal means of providing for the discharge of the duties of the prison, when they become more onerous than can be met by the usual number of officers, without throwing the expense and labour on an establishment whose duties are so onerous as those of this department are at present. A considerable number of men are employed at the Exhibition, and the Under Secretary is aware that constables are required to be specially employed at steam-packets, railways, &c.

To the Under Secretary,
&c. &c. &c.

(signed) John L. O'Ferrall.

(B.)

Sir, Richmond Bridewell, Dublin, 23 September 1865.

I HAVE the honour to submit, for due consideration, the insecurity of the boundary wall of the prison at the canal side, affording as it does the means of an easy access into the area inside of the inner wall. This wall is provided with four ramparts, two in the front and two at the rear of the prison. In the year 1848 I had military sentinels placed on these ramparts, which are provided with sentry boxes. I do not consider it necessary for the present that sentinels should be placed in front of the prison day or night; but I do deem it most expedient that two sentinels should be kept at the rear from nightfall to daylight; and as I have the means of accommodating a military guard sufficient to afford the necessary relief for the two posts, it would be of importance that such guard should be provided.

I have, &c.

(signed) D. Marques, Governor.

To General Sir Thos. A. Larcom,
&c. &c. &c.

(C.)

Sir, Richmond Bridewell, Dublin, 17 September 1865.

I HAVE the honour to request you will be good enough to submit to the immediate consideration of the Commissioners, the importance of a strict supervision being kept day and night over the prisoners committed to my custody on yesterday, charged with being members of a secret society called the "Fenian Brotherhood;" and that as I am at present three officers short of the numbers on the staff of the prison, I require the assistance of two police constables for the supervision of two sections of the prison, from the hour of 6 o'clock p.m. to 6.30 a.m. This measure I consider necessary to promote the ends of justice, and not for the safe custody of the prisoners; and if such aid cannot be granted without the constables being paid for by the authorities of the prison, I have no doubt but that upon the matter being submitted to the Board of Superintendence they will act in accordance with the sense of the serious duty I have to discharge as the Governor of the prison.

I have &c.

(signed) D. Marques, Governor.

The Secretary to the Commissioners
of the Dublin Metropolitan Police.

(D.)

Sir, Richmond Bridewell, Dublin, 23 September 1865.

I CONSIDER it necessary that four police constables should be here during the day to assist my officers in the duties they have to discharge, when the large number of prisoners who

who are now in my custody, charged with high treason, have to be brought for exercise in the yards, and to Divine service.

I shall, therefore, feel obliged by your submitting the matter to the Police Commissioners.

I am, &c.

(signed) *D. Marques, Governor.*

To Mr. Superintendent Fitzpatrick.

(E.)

Dublin Metropolitan Police, A Division, 2 December 1865.

WITH reference to the requests in the attached letter from John Lentsigne, Esq., I beg to state that on the dates referred to, namely, 23d, 24th, and 25th September last, the number of police, consisting of one inspector, two sergeants, and 22 constables on duty at Richmond Bridewell, were distributed as follows:—

Four constables attended a few hours each day during the exercising of the Fenian prisoners, and, with the addition of a like number of constables, assembled at six p.m., and remained until half-past 10 o'clock.

Eight constables were placed on duty each night in those corridors wherein political prisoners were confined.

Four constables did night duty, patrolling the carriage-way and passages round the prison.

The two sergeants took turn about during the night in patrolling about the premises. The remainder, consisting of two constables, were kept in reserve, or sent out occasionally to relieve the constables round the prison.

These arrangements apply as well to the 21st and 22d September, except that there were but four constables selected for day duty in the prison.

I beg to add that on the 25th September the Governor informed me that he had applied for a military guard to do duty on the south wall, as, in the event of an attack from outside, he considered soldiers, fully armed and equipped, better prepared to resist an attempt at rescue of prisoners than the police, who were unarmed; besides, the Board of Superintendence had considered, on the score of economy, the police rather expensive; consequently, the constables outside on duty would be withdrawn, but the eight men inside the building should still be retained. These arrangements were immediately carried out, and I ceased to do duty in the prison.

On the 2d November instant, the number of constables for duty in the Bridewell were reduced to three only. Mr. Marques told me that these would be sufficient, as he then had his own staff of officers complete as to numbers; previously two of them were suspended from duty.

(signed) *Wm. Armstrong, Inspector.*

To the Chief Superintendent,
&c. &c. &c.

(F.)

Dublin Metropolitan Police, Chief Superintendent's Office,
28 November 1865.

I beg to state that on 20th September 1865, an order was given by the Commissioners of Police to place on duty in Richmond Bridewell—one inspector, two sergeants, and 22 police constables of the Dublin Metropolitan Police, to commence on that night at nine o'clock p.m., and to continue until further orders. This arrangement continued in force until the 25th of same month, on which day I received orders from the Commissioners of Police to accompany John Lentsigne, Esq., Inspector General of Prisons, to Richmond Bridewell, as he was going there to ascertain and arrange the number of constables actually required for the assistance and support of the prison authorities. Mr. Lentsigne and Mr. Marques (the Governor), after going over the list of prison officers, and carefully inspecting the map or plan of the prison, arranged that eight constables would be sufficient, as assistants to the prison officers, and the Governor struck out their hours of duty as follows:—

Two constables from 6.30 to 7.30 a.m. Two constables from 12 noon to 1 p.m. Four constables from 6 to 10 p.m., and four constables from 10 p.m. to 6.30 a.m. each day. The duty from 6.30 a.m. to 10 p.m. to be performed by four of the eight constables, and from 10 p.m. to 6.30 a.m. by the other four. The men were selected and told off for this duty on the 25th September 1865, and commenced it on the following morning.

The arrangement and consultation between Mr. Lentsigne and Mr. Marques was conducted as follows:

A plan of the prison was produced by Mr. Marques. Mr. Lentsigne called on him to point out the different parts of the building, and the hours, day and night, where and when he

he (Mr. Marques) considered a constable necessary. To all Mr. Marques's suggestions a ready assent was given, and the above arrangements made. During the conversation, Mr. Marques mentioned that a sergeant's guard of military had been ordered for the prison, and were to be stationed as sentinels on the walls. *Had this arrangement been strictly and carefully carried out, I believe that no escape from the prison could have taken place, as the sentinels on the ramparts would from their posts have had a full view of the outer walls of the prison, and they would have been free from the control of any person inside the prison.*

Sec. A.

A conversation occurred between Mr. Lentaigue and Mr. Marques as to the trustworthiness of the officers of the prison; but as I considered it partly confidential between themselves, I did not pay that attention to it that would enable me to state the purport of it accurately. Mr. Marques stated he was then short of the regulated number of officials.

The further arrangements in connection with the police was carried out between Mr. Marques and Mr. Fitzpatrick, the Superintendent of A Division, and I believe, at the request of Mr. Marques, the number of constables was reduced.

(signed) Wm. Campbell,
Chief Superintendent.

To the Commissioners of Police.

(G.)

Metropolitan Police Office, Castle,
26 September 1865.

My dear Lentaigue,

I SEND you a report of the arrangement made at the Richmond Prison yesterday, with your sanction. Attached is an estimate of the weekly expense of the Board of Superintendence; and I should be glad to be informed how the account should be furnished and how it will be paid, whether weekly or monthly.

The Commissioners of Police look to the Inspectors General of Prisons, with whose sanction the arrangement has been made, to see that the accounts be regularly discharged.

Faithfully yours,
(signed) John L. O'Ferrall.

To J. Lentaigue, Esq.,
Inspector General of Prisons.

Enclosure in the foregoing.

Dublin Metropolitan Office, Chief Superintendent's Office,
26 September 1865.

I BEG to state that by order of the Commissioners of Police I attended yesterday with John Lentaigue, Esq., Inspector General of Prisons, at Richmond Bridewell, to make arrangements with Mr. Marques, the Governor, for placing a number of constables on duty within the prison. The arrangements made by Mr. Marques are as follow:—Two constables from 6.30 to 7.30 a.m.; two ditto from 12 noon to 1 p.m.; four ditto from 6 to 10 p.m., and four ditto from 10 p.m. to 6.30 a.m. each day.

This arrangement has been agreed to, and commenced this morning at 6.30 a.m. Right constables will perform the duty at a cost of 7 l. 8 s. per week, at 18 s. 6 d. per week for each constable.

(signed) Wm. Campbell,
Chief Superintendent.

The Commissioners of Police, &c.

(H.)

City Hall, 29 September 1865.

Sir,
I AM directed by the Board of Superintendence of the City of Dublin Prisons to communicate to you, that the Board had before them this day, at a meeting held in Richmond Bridewell, two letters, viz., one from the Inspectors General of Prisons, dated 27th September 1865, 770-H., enclosing copy of a report from Wm. Campbell, Chief Superintendent to the Commissioners of Police, dated 26th September 1865, which states that the cost of eight constables of police, required at Richmond Bridewell for the better custody of a large number of prisoners lately committed, will be 7 l. 8 s. per week.

The Board are of opinion that the Government ought to defray this expense, and passed the following resolution:—

"That the Secretary be directed to communicate with Sir Thomas Larcom upon the subject of the demand of 7 l. 8 s. per week for the service of the police for one week, rendered

rendered necessary by the great influx of prisoners in Richmond Bridewell; and as the citizens already pay a police tax, this Board consider it a great hardship to have to pay so heavy a demand as that made by the Commissioners."

Sir Thomas Larcom, K.C.B.,
Dublin Castle.

I have, &c.
(signed) John Martin,
Secretary.

(L)

Board of Superintendence, Richmond Bridewell,
8 November 1865.

Present:—Councillor R. J. Devitt, *Chair*. Councillors Casson, J.P.; McGath;
Ryan, M.D.; Alderman Turpey; A. O'Brien, J.P.; and Alderman Campbell, J.P.

COPY of Governor of Richmond Bridewell's Report in Record Book, dated 7 November 1865, as entered in Board's Minute Book, at page 307, as follows, read:—

Upon the two warders appointed on the 26th of October, entering upon duty, I was enabled to make such arrangements as to render the attendance of the four police constables for the exercise of the prisoners charged with treason unnecessary; and by the three warders who have charge of Nos. 4, 8, and 9 classes having agreed to remain on duty till 10 o'clock, p.m., and to do the gas duty every night in the upper prison, I only require three constables for the night duty from 10 o'clock, p.m., to seven o'clock, a.m. By this arrangement, I have dispensed with the services of nine constables.

The expense of the three retained has been stated by the Commissioners of police to be 18 s. 6 d. per week, each.

(signed) D. Marques.

Ordered,—

Notice to be given in the summons paper, whenever it may be proposed to pay for the attendance of the police at Richmond Bridewell.

(Correct Copy.)

(Certified by C. P. Gavia, Local Inspector).

DETAIL OF DUTIES OF INSPECTORS-GENERAL.

AFTER the completion of this arrangement, which was to be carried into execution, exclusively under the command of their own respective officers, by military sentries and police constables, two forces over which the Inspectors-General have no jurisdiction, authority, or control, neither of us was called upon to take any particular action, no further instructions or directions having been subsequently given to us. We proceeded at different periods to the discharge of the duties of our respective circuits, which have, of course, a paramount claim upon us; the northern district, comprising the county and the city of Dublin, and the counties of Antrim, Armagh, Cavan, Donegal, Down, Fermanagh, Leitrim, Louth, Londonderry, Longford, Mayo, Meath, Monaghan, Roscommon, Sligo, Tyrone, Westmeath, and Drogheda town, in which 22 gaols and 42 bridewells are situated; and the southern, extending over the counties of Carlow, Clare, Cork, Galway, Kerry, Kildare, Kilkenny, King's, Limerick, Queen's, Tipperary, N.R., Tipperary, S.R., Waterford, Wexford, Wicklow, and the cities of Cork, Limerick, and Galway town, in which there are 18 gaols and 69 bridewells. We always take advantage of the longer days and the finer weather for visiting the more remote points of our districts, and we reserve until the winter the official inspection of those less distant, and especially of the prisons of the county and city of Dublin.

We returned from time to time to our central office in the Castle, where the Local Inspector and the Governor, but especially the latter, had repeated personal interviews with us; but by neither were we informed, that Mr. Marques had ventured to take upon himself the responsibility of superseding the arrangement, made under the direction of and approved by the Executive.

Moreover, as Mr. Marques, to whom, whenever he solicited it, we had always lent immediate aid, appeared to be not only free from apprehension or anxiety, but to be perfectly satisfied, we remained in the conviction that ample protection had been provided.

It here, perhaps, becomes indispensable, that an entire misapprehension, which appears to have arisen as to the nature and character of the office of the Inspectors-General of prisons, should be corrected.

They are in no sense directors or administrators, or in any degree responsible for the custody of prisoners, or for the actual fulfilment of discipline, not having authority over the Boards of Superintendence, or the officers, whom they can neither appoint, dismiss, punish, or even fine; but they are visitors and reporters of the condition of prisons, being enabled to examine on oath as to the performance of the rules and regulations, and also concerning all matters connected with the expenditure, discipline, and regularity of such prisons

prisons and bridewells; and their other duties, although they are various, comprehensive, and onerous, as detailed hereafter, are wholly unconnected with the exercise of immediate powers of government.

Ireland is divided into two circuits or districts, the northern and southern; and each of the Inspectors General alternately goes round such circuit, and inspects every gaol, bridewell, and house of correction situated therein, once in every year; so that in the course of two successive years both have visited every part of the kingdom. (7 Geo. IV., cap. 74, sec. 55.)

They furnish a special report upon the state of each gaol and bridewell, as well to the Secretary of the Grand Jury of each county as to the Chief Secretary of the Lord Lieutenant, together with an annual report, to be laid before both Houses of Parliament, containing a general statement of the progress of prison discipline in each district. (7 Geo. IV., cap. 74, sec. 56.)

The number of gaols and houses of correction amount to 40, and of bridewells to 111; and with regard to these latter, it is right to observe, that they consist of three categories, viz., "*district bridewells*," which are minor prisons designed for the fulfilment of short terms of imprisonment, the limit being four months; "*certified bridewells*," in which, upon the fulfilment of certain prescribed conditions, prisoners sentenced for any period not exceeding "one week," may be detained; and "*ordinary bridewells*," in which no sentence, except for drunkenness, under a special statute, the 24th & 25th Vict., cap. 49, can be legally carried out. The inspection of bridewells, it is to be remembered, is not exacted from the Inspectors of Prisons in Great Britain, but involves here a very laborious duty, situated as many of them are in very remote and inaccessible localities. Further, besides their annual inspection, they visit specially and judiciously, "*whenever and so often as they shall see fit*," every gaol, &c., &c., and examine on oath all persons concerned therein, or holding any office or emolument therein, and also all other persons whom they shall think proper so to examine, touching any matters concerning any such gaol, bridewell, or other prison, and they report thereon to the Lord Lieutenant "*whenever they shall see occasion so to do*." (7 Geo. IV., cap. 74, sec. 59.)

They prepare and alter dietary tables for gaols, &c., to be approved by the Executive. They regulate and determine the establishment of every gaol, bridewell, &c., as to dresses, beds, bedding, and other necessities to be rated in respect to its complement of prisoners; and in case of any deficiency of such articles, they order peremptorily a supply of the same, to be certified according to the forms prescribed by the Act; an invidious duty, from which the Inspectors of Prisons in England are exempt.

They are bound to report upon the plans, site, and specifications for the building, rebuilding, alteration, and enlargement of every gaol, house of correction, and bridewell, to be laid before and approved by the Lord Lieutenant; responsibilities which are vested in a distinct office in England, that of the Surveyor General of Prisons.

There are many Acts of Parliament, that, for instance, for putting in force the "*separate system*," which assign various duties and requirements to the Inspectors General; but sufficient has been already stated to show the extent of their jurisdiction.

Independently of these functions, thus prescribed by different Acts, they have ever felt it their duty in all cases, in which the Executive has authority over the regulations and by-laws, voluntarily to give their time and their earnest consideration to the preparation of amendments, &c.; in proof of which they have succeeded in establishing throughout this kingdom, not without considerable labour, an uniform system of books, relating to all matters of registration, discipline, consumption, and expenditure; thus providing, not only a complete check upon mismanagement, but affording an opportunity of comparing the administration of the several gaols one with another, which is impossible in England from the diversity which prevails.

They further, throughout the year, keep open and attend, when they are not engaged in their parliamentary inspections, and in special investigations held out of Dublin, a central office in Dublin Castle, while no such duty is imposed upon or discharged by the Inspectors of Prisons in England.

To this office are referred all communications relating to prison discipline and management, &c., by the Executive, the judicial body, the Boards of Superintendence, Local Inspectors, the governors and keepers of all gaols and bridewells, necessarily involving the consideration of important legal questions, and the preparation of cases to be submitted, and a very extensive and daily increasing correspondence, to be attributed in a great measure to the provisions of the amended Prisons Act, 19 & 20 Vict. c. 68, by which, *inter alia*, the Local Inspectors are bound to report quarterly on the state of the gaols and bridewells under their inspection, the appointments of all gaol officers, &c. These duties, it is to be remarked, give employment to a considerable department of the Home Office at a large expenditure, whereas in Dublin the Inspectors General alone perform them.

Again, the Inspectors General are charged with the auditing of the accounts of the maintenance of convicted prisoners in county gaols, a difficult and responsible duty, involving the disbursement of nearly 10,000 £ per annum, and a duty which in England is discharged by the department of Examiners of Criminal Law Accounts.

Lastly, they collect the material for the annual gaol statistics, which they publish, with their report for Parliament.

JAMES STEPHENS.

COPY of the REPORT of the Inspectors General
of Prisons in Ireland to His Excellency the Lord
Lieutenant with regard to the ESCAPE of James
Stephens.

(*Mr. Attorney General for Ireland.*)

Ordered, by The House of Commons, to be Printed,
23 March 1866.

[Price 1 s.]

147.

Under 8 cc.